

PUBLIC LAWS OF THE STATE OF MAINE,

Passed by the Sixty-first Legislature, A. D. 1883.

Chapter 99.

AN ACT to amend section thirty-five of chapter eleven of the Revised Statutes, relating to the erection of school houses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. Section thirty-five of chapter eleven of the revised statutes of eighteen hundred and seventy-one is hereby amended by inserting after the word "by" in the second line of said section the words, "a town or" so as amended, to read as follows:

Section 35. A plan for the erection or reconstruction of a school house voted by a town or a district, shall first be approved by the superintending school committee.

Section 2. This act shall take effect when approved. [Approved January 27, 1883.]

Chapter 100.

AN ACT to protect officers in the service of process, civil and criminal.

Be it enacted, &c., as follows:

Section 1. If any person shall wilfully obstruct any officer, or other person duly authorized, in the service of any lawful process or order in any civil case, or in any criminal case the punishment of which may be imprisonment in the common jail and fine, or either, he shall be punished by imprisonment not exceeding one year and by fine not exceeding three hundred dollars.

Section 2. If any person shall wilfully obstruct any officer, or other person duly authorized, in the service of any criminal process for any offence punishable by imprisonment for more than one year, he shall be punished by imprisonment not exceeding two years, or by fine not exceeding five hundred dollars, or both. [Approved January 30, 1883.]

Chapter 101.

AN ACT to amend section thirty-two of chapter eleven of the Revised Statutes, relating to the location of school houses.

Be it enacted, &c., as follows:

Section 1. Section thirty-two of chapter eleven of the revised statutes of eighteen hundred and seventy-one is hereby amended, by adding after the word "thereon," in the last line, the words "in towns which have abolished the school districts therein, the location for the erection or removal of school houses and necessary buildings and for necessary play grounds, shall be designated by vote of said town at any town meeting called for that purpose," so that said section as amended shall read as follows:

Section 32. At any district meeting called for the purpose of removing a school house, or locating one to be erected, if more than one-third of the voters present and voting object thereto, the clerk shall make a record of the fact; and the municipal officers, on written application of any three or more of said voters, or any committee of the district, made within thirty days thereafter, shall as soon as may be, appoint a time and place in the district to hear the parties, and give such notice as is required for a district meeting; and after such hearing, they may decide where the school house shall be placed; and shall, within ten days, give a certificate of their determination to the clerk of the district, who shall forthwith enter it on his records, and the district shall proceed to erect, or remove the school house as if determined by a sufficient majority of the voters present at said meeting; but no such officer residing in the district shall have any voice in such determination; and when a majority of them reside therein, or do not agree, the superintending school committee shall do all the duties herein required of the municipal officers; and if the district refuses or neglects for sixty days to carry into effect such determination, the municipal officers or superintending school committee at the expense of the district, shall, if need be, purchase a lot for said house and cause it to be erected or removed thereon. In towns which have abolished the school districts therein, the location for the erection or removal of school houses and necessary buildings and for necessary play grounds shall be designated by vote of said town at any town meeting called for that purpose.

Section 2. This act shall take effect when approved. [Approved January 30, 1883.]

Chapter 102.

AN ACT fixing a time when amendments to the Constitution shall take effect.

Be it enacted, &c., as follows:

Section 1. Unless otherwise provided in the resolve submitting it, every constitutional amendment shall take effect and become part of the constitution, on the first Wednesday of January following its adoption by the people.

Section 2. Within thirty days after it shall appear that a constitutional amendment has been adopted, the governor shall make proclamation thereof and the secretary of state shall forthwith cause such proclamation to be published in the state paper, and it shall also be prefixed to the next volume of acts and resolves. [Approved February 1, 1883.]

Chapter 103.

AN ACT in addition to section four of chapter fifty-one of the Revised Statutes, relating to railroads.

Be it enacted, &c., as follows:

Section 1. Section four of chapter fifty-one of the revised statutes is hereby amended by adding thereto the following: "Provisions in charters of railroad corporations, whether heretofore or hereafter granted, limiting the time within which such railroad shall be completed, shall not be construed to affect the portion of the railroad completed within the time limited; and all charters under which railroads have been constructed for a portion of the line authorized thereby, are hereby confirmed and made valid as to such portion."

Section 2. This act shall take effect when approved. [Approved February 3, 1883.]

Chapter 104.

AN ACT to amend section three of chapter one hundred and forty-seven of the Public Laws of eighteen hundred and seventy-three, relating to the appointment of Port Wardens.

Be it enacted, &c., as follows:

The third section of chapter one hundred and forty-seven of the public laws of eighteen hundred and seventy-three, entitled "An Act providing for the appointment of port wardens," is hereby amended by striking out, in the last two lines of said section, the words "and the vacancy thereby created shall be filled by the aforesaid appointing powers until the next annual meeting," and inserting in place thereof the following words: "and all vacancies, whether created by removal or caused by death, resignation, inability or any other cause, shall be filled by the aforesaid appointing powers." So that said section as amended shall read as follows:

Section 2. Said boards of trade, by their managers, and said municipal officers, by themselves, shall have the power, and they are hereby respectively required to remove for cause, forthwith, upon complaint of any person aggrieved, and after hearing the party or parties complained of, any port warden or port wardens by them appointed, and all vacancies whether created by removal or caused by death, resignation, inability or any other cause, shall be filled by the aforesaid appointing powers." [Approved February 3, 1883.]

Chapter 105.

AN ACT to amend chapter seventy-three, section twenty-six, of the Revised Statutes, in relation to the Registry of Deeds.

Be it enacted, &c., as follows:

Section 1. That chapter seventy-three, section twenty-six, of the revised statutes be amended, by inserting after the word "all" in the second line the following words, viz: "or if any deed is recorded in the wrong county or registry district and lost," so that the section amended shall read as follows:

Section 26. If a deed conveying lands in more than one county is lost before recorded in all, or if any deed is recorded in the wrong county or registry district and lost, a certified copy from a registry where it has been recorded, may be recorded in any other county, and have the same effect as a record of the original.

Section 2. This act shall take effect when approved. [Approved February 8, 1883.]

Chapter 106.

AN ACT to condense and amend section one of chapter ninety-two of the Public Laws of eighteen hundred and seventy-three.

Be it enacted, &c., as follows:

Section one of chapter ninety-two of the public laws of eighteen hundred and seventy-three, is hereby condensed and amended by inserting therein, the words, "and for the erection and maintenance of monuments and for the benefit of public cemeteries and lots therein, so that the same section, condensed and amended, shall be as follows:

Section 1. Any city or town may receive money by donation or legacy, in trust, for benevolent, religious or educational purposes, and for the erection and maintenance of monuments and for the benefit of public cemeteries and lots therein; provided that the city or town shall lawfully consent."

[Approved February 8, 1883.]

Chapter 107.

AN ACT to amend section one of chapter twenty-two of the Revised Statutes, relating to division fences.

Be it enacted, &c., as follows:

Section one of chapter twenty-two of the revised statutes is hereby amended by adding after the word "walls," in the second line, the words "iron or wire," so that said section as amended shall read as follows:

Section 1. All fences four feet high and in good repair, consisting of rails, timber, boards, stone walls, iron or wire, and brooks, rivers, ponds, creeks, ditches, and hedges, or other things which, in the judgment of the fence viewers having jurisdiction thereof are equivalent thereto, shall be accounted legal and sufficient fences; provided, however, that all barbed wire fences hereafter built shall not be accounted legal and sufficient fences unless they are protected by an upper rail or board of wood." [Approved February 8, 1883.]

Chapter 108.

AN ACT to amend section one, chapter twenty-four of the Revised Statutes, relating to pauper settlements.

Be it enacted, &c., as follows:

Chapter twenty-four, section one, specification one, of the revised statutes, is hereby amended, by adding thereto the following words: "and no derivative settlement shall be acquired or changed by a marriage so procured, but the children of such marriage and their descendants shall have the settlement they would have had if no such marriage had taken place. And the same rule shall be applied in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured and any other town, whether the person whose marriage is thus procured is a pauper at the time of the marriage or becomes so subsequently." So that said specification, amended, shall be as follows:

"1. A married woman has the settlement of her husband, if he has any in the state; if he has not, her own settlement is not affected by her marriage. When it appears in a suit between towns involving the settlement of a pauper, that a marriage was procured to change it by the agency or collusion of the officers of either town or any person having charge of such pauper under authority of either town, the settlement is not affected by such marriage; and no derivative settlement shall be acquired or changed by a marriage so procured, but the children of such marriage and their descendants shall have the settlement they would have had if no such marriage had taken place. And the same rule shall be applied in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured, and any other town, whether the person whose marriage is thus procured is a pauper at the time of the marriage or becomes so subsequently." [Approved February 8, 1883.]

Chapter 109.

AN ACT to amend section sixteen of chapter five of the Revised Statutes relating to lands reserved for public uses.

Be it enacted, &c., as follows:

Section 1. Section sixteen of chapter five of the revised statutes is hereby amended by striking out the word "assessors" in the twelfth and thirteenth lines and inserting in each of said lines the word "treasurer," by adding after the words "by the treasurer" in the fifteenth line the words "of state," by striking out the word "and" in the seventeenth line and by adding at the end of said section the words "and that the treasurer of such plantation has given bond as required by law," so that said section as amended shall read as follows:

Section 16. The interest shall be added to the principal of such fund, until the inhabitants of such township or tract are incorporated into a town, or organized as a plantation, and establish in such plantation one or more school districts according to law. When any such township is incorporated as a town, said funds belonging to it shall be paid over by the treasurer of state to the treasurer of the trustees of the ministerial and school funds in such town, to be added to the funds of that corporation, and shall be held and managed as other school funds of that town are required by law to be held and managed. If such township or tract is organized as a plantation, the interest of said fund shall be paid annually by the treasurer of state to the treasurer of such plantation, to be applied for the support of schools according to the number of scholars in each district. The interest to be paid shall be cast up to the first day of January in each year, and shall be paid to such treasurer by the treasurer of state on producing satisfactory evidence that such plantation is organized, and school districts established therein according to law; that assessors are duly sworn and qualified and that the treasurer of such plantation has given bond as required by law."

Section 2. This act shall take effect when approved. [Approved February 8, 1883.]

Chapter 110.

AN ACT in reference to lien on choses in action and the enforcement thereof.

Be it enacted, &c., as follows:

Section thirty-nine of chapter ninety-one of the revised statutes is hereby amended by striking out the word "article," after the word "any," in the first line of said section, and inserting therein the words "stock or certificate thereof, bond, note, account or other chose in action, or any other personal property," so that said section as amended shall read as follows:

Section 39. Any person having a lien on any stock or certificate thereof, bond, note, account, or other chose in action, or any other personal property in his possession, may enforce it by a sale thereof, as hereinafter provided. [Approved February 8, 1883.]

Chapter 111.

AN ACT to prevent the fraudulent removal or concealment of mortgaged personal property.

Be it enacted, &c., as follows:

Whoever with the fraudulent intent to place

mortgaged personal property beyond the control of the mortgagee, removes or conceals, or aids or abets in removing or concealing the same, and any mortgagor of such property who assents to such removal or concealment, shall be punished by fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

[Approved February 8, 1883.]

Chapter 112.

AN ACT to restore the salary of the Judge of the Superior Court in Kennebec county.

Be it enacted, &c., as follows:

SECT. 1. The salary of the judge of the superior court of the county of Kennebec shall be two thousand dollars a year, payable quarterly.

SECT. 2. This act shall take effect when approved.

[Approved February 8, 1883.]

Chapter 113.

AN ACT in relation to the salary of the Judge of the Superior Court for the County of Cumberland.

Be it enacted, &c., as follows:

SECT. 1. So much of section one of chapter one hundred and fifty of the public laws of the year eighteen hundred and seventy-nine as relates to the compensation of the judge of the superior court for the county of Cumberland is hereby repealed and the compensation of said judge shall be restored and be the same hereafter as it was previous to the passage of the statute aforesaid.

SECT. 2. This act shall take effect when approved.

[Approved February 8, 1883.]

Chapter 114.

AN ACT providing for a change of time for holding the April session of the county commissioners for the County of Waldo.

Be it enacted, &c., as follows:

The April session of the county commissioners for the county of Waldo, shall hereafter be held on the second Tuesdays of April in each year instead of on the third Tuesdays of said month, as now provided by section six of chapter seventy-eight of the revised statutes.

[Approved February 9, 1883.]

Chapter 115.

AN ACT to amend section one of chapter one hundred and twenty-six of the Revised Statutes, in relation to mortgage-d, as follows:

Be it enacted, &c., as follows:

Section one of chapter one hundred and twenty-six of the revised statutes is hereby amended by inserting after the word "sells," in said section, the words "conveys, mortgages or pledges," so that said section, as amended, shall read as follows:

SECT. 1. Whoever, designedly and by any false pretense or privy or false token, and with intent to defraud, obtains from another any money, goods or other property, or his signature to any written instrument, the false making of which is forgery, or whoever knowingly and with intent to defraud, sells, conveys, mortgages or pledges to another any personal property on which there is an existing mortgage or to which he has no title, without notice to the purchaser of such mortgage or of such want of title, shall be deemed guilty of cheating by false pretenses and be punished by imprisonment not more than seven years or by fine not exceeding five hundred dollars.

[Approved February 9, 1883.]

Chapter 116.

AN ACT in relation to Corporations.

Be it enacted, &c., as follows:

SECT. 1. All corporations organized under the provisions of section eighteen, chapter forty-eight, of the revised statutes, and acts amendatory thereof and additional thereto, or under the provisions of chapter sixty-five of the public laws of eighteen hundred and seventy-six, and acts amendatory thereof and additional thereto, shall fix the amount of their capital stock, which shall not be less than one thousand dollars nor more than two million dollars.

SECT. 2. In case the stockholders of any such company already organized as aforesaid, or thereafter so organized, find that the amount of its capital stock is insufficient for the purposes for which said corporation is organized, or that the number of directors is inconvenient for the transaction of its business, the stockholders may, by a vote representing a majority of the stock issued, increase the amount of the capital stock of said corporation to any amount not exceeding two million dollars, and may change the number of their directors in like manner, and the corporation shall give notice of such change to the secretary of state within ten days after said vote.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 4. This act shall take effect when approved.

[Approved February 14, 1883.]

Chapter 117.

AN ACT to enable cities, towns, cemetery corporations and trust companies to receive title to private cemeteries and to hold funds for repair of same.

Be it enacted, &c., as follows:

SECT. 1. Any city, town, cemetery corporation or trust company may accept any conveyance of land not exceeding half of one acre, to be forever held, kept and used for a private or family burying ground for the grantors and such of their heirs and relations by blood or marriage as the conveyance shall designate. Such lot and all erections thereon, including the erection and maintenance of the same, and fixtures thereto which shall be suitable for its use or adornment as a burying ground, shall be forever inalienable and indivisible, and exempt from liability for debt. Such city, town, corporation or company may also accept and forever hold any donation or

legacy for insuring proper care and attention to any burial lot or ground and the avenues thereof and the monuments thereon. Having accepted such donation or legacy, said trustee shall be legally bound to perform the duties appertaining to the trust as lawfully specified in the writing creating the trust, or in default of such specification, as required by law, and as in cases of public charity.

SECT. 2. Every trust fund authorized by this act shall be safely invested in United States, state, county, city or town securities; and the annual income only shall be expended in performance of the requirements of the trust.

SECT. 3. A copy of the record of the vote of the trustee accepting a conveyance of lands under this act shall be indorsed on the conveyance and there certified by the clerk of the grantee, and recorded in the registry of deeds with the conveyance.

[Approved February 14, 1883.]

Chapter 118.

AN ACT amendatory to section one hundred and sixty-seven of chapter six of the Revised Statutes relating to collection of taxes in incorporated places on real estate of resident owners.

Be it enacted, &c., as follows:

Section one hundred and sixty-seven of chapter six of the revised statutes is hereby amended by adding after the last word of said section, the following words: "but notice of sales of real estate within any village corporation, for unpaid taxes of said corporation may be given by posting notices thereof in the same manner and at the same places that warrants for corporation meetings are therein required to be posted," so that said section, as amended shall read as follows:

SECT. 167. For all taxes legally assessed on real estate belonging to resident proprietors and on equitable interests assessed under section three of this chapter a lien is hereby created which shall continue in force until the payment thereof. If any such tax remains unpaid for the term of nine months from the date of the assessment, the collector may give notice thereof, and of his intention to sell so much of such real estate or interest as is necessary for the payment of said tax and all charges, by posting notices thereof in the same manner and at the same places that warrants for town meetings are therein required to be posted, six weeks before the day of sale, designating the name of the owner, if known, the right lot and range, the number of acres as near as may be, the amount of tax due and unpaid, and such other short description as is necessary to render it certain and plain; and shall lodge with the town clerk a copy of such notice, with his certificate thereon that he has given notice of the intended sale as required by law. Such copy and certificate thereon shall be recorded by said clerk, and the record so made shall be open to the inspection of all persons interested. It shall be the duty of the clerk to furnish to any person desiring it, an attested copy of such record, on receiving payment or tender of payment of a reasonable sum therefor; but notices of sales of real estate within any village corporation for unpaid taxes of said corporation, may be given by posting notices thereof in the same manner and at the same places that warrants for corporation meetings are therein required to be posted.

[Approved February 14, 1883.]

Chapter 119.

AN ACT to repeal section two of chapter fifty-eight of the Public Laws of eighteen hundred and eighty-one, in relation to a bounty on bears.

Be it enacted, &c., as follows:

SECT. 1. Section two of chapter fifty-eight of the public laws of eighteen hundred and eighty-one, in relation to a bounty on bears is hereby repealed.

SECT. 2. This act shall take effect when approved.

[Approved February 14, 1883.]

Chapter 120.

AN ACT relating to the taking of Herring and canning Sardines.

Be it enacted, &c., as follows:

SECT. 1. No person shall catch, take, preserve, sell or offer for sale, within the state, any herring for canning purposes, less than eight inches long, measured from one extreme to the other, between the fifteenth day of December and the fifteenth day of April next following.

SECT. 2. No person shall pack, or can any sardines, of any description, between the fifteenth day of December and the fifteenth day of April next following.

SECT. 3. Any person violating the provisions of this chapter shall be punished by a fine of twenty dollars for every one hundred cans so packed or canned, and for every one hundred herring taken contrary to the provisions of section one, to be recovered in an action of debt to be brought by any person complaining of the same, one-half to the complainant and the other half to the town in which said offense is committed.

[Approved February 14, 1883.]

Chapter 121.

AN ACT to provide for greater security against fire in buildings used for public purposes.

Be it enacted, &c., as follows:

SECT. 1. Every church, theatre, hall, or other building or structure intended to be used temporarily or permanently for any public purpose, and every school house or school room, public or private, shall have all inner doors, intended to be used for egress therefrom, open outward.

SECT. 2. All outer doors of buildings or structures of the kind mentioned in the preceding section shall be kept open when such buildings or structures are used by the public, unless such doors open out-

wards; except that fly doors opening both ways may be kept closed.

SECT. 3. Every public house where guests are lodged, and every shop, mill, factory and other building in which any trade, manufacture or business is carried on which requires the presence of workmen or other persons in any part thereof above the first story, and all halls and other rooms used for public assembly or for public amusement, shall at all times be provided with suitable and sufficient fire escapes, outside stairs or ladders from each story or gallery, above the level of the ground, easily accessible to all inmates in case of fire or of an alarm of fire; the sufficiency thereof to be determined as provided in the following section.

SECT. 4. In towns or parts of towns where there is no organized fire department, it shall be the duty of the municipal officers annually to make careful inspection of the precautions and safeguards provided in compliance with the foregoing requirements, and to pass upon their sufficiency in respect to arrangement and number, and upon their state of repair and to direct and order such alterations, additions and repairs as they may adjudge necessary. In towns, cities and villages which have an organized fire department, the duties aforesaid shall be discharged by the board of fire engineers.

SECT. 5. Such municipal officers or fire engineers shall give written notice to the occupant of such building, room, hall or other place hereinafore specified, also to the owner thereof, if known, of their determination as to the sufficiency of said precautions and safeguards, specifying in said notice, any alteration, addition or repair which they deem necessary and require. Sixty days shall be allowed after such notice and order, for compliance with the same.

SECT. 6. Any owner or occupant who neglects or refuses within the time so allowed to comply with such order, forfeits fifty dollars, and an additional sum of five dollars a day for every day's continuance of such neglect or refusal; and the building or part of building so occupied shall be deemed to be a common nuisance, without any other proof thereof than proof of its use; and the keeper shall be subject to the penalties provided in case of other nuisances. And said officers may forbid the use of such building for any public purpose until their order has been complied with. And if the owner or occupant of said building lets or uses the same in violation of such order, said owner or occupant forfeits not less than twenty nor more than fifty dollars for each offense.

SECT. 7. Whenever the municipal officers or engineers, upon inspection, find that proper safeguards and precautions for escape in case of fire, or of alarm, have been provided, it shall be their duty to give to the occupant of such building a certificate under their hands of such fact; and such certificate shall be valid only for one year from its date. It shall be the duty of such officers to return to the clerk's office of their town or city, monthly, a list of such certificates by them issued, which the clerk shall record in a book kept for that purpose.

SECT. 8. Every person receiving such certificate shall pay to such officers the sum of two dollars therefor, and shall keep such certificate posted in the building affected thereby. Such annual certificate, so posted, is to be taken as prima facie evidence of the inspection of such building, and of its provision with the suitable safeguards and precautions hereinafore mentioned.

SECT. 9. Every occupant of such building, who neglects or refuses to procure such certificate, or to have the same posted as aforesaid, forfeits ten dollars for each and every week he so neglects and refuses.

SECT. 10. Every municipal officer or fire engineer who shall refuse or neglect to perform the duties imposed upon him by this act, forfeits the sum of fifty dollars.

SECT. 11. All fines and forfeitures imposed by this act shall be recovered by and for the town or city where the building is located, by an action on the case, or by indictment.

SECT. 12. Chapter seventy of the public laws of the year eighteen hundred and seventy-eight, and chapter fifty of the public laws of the year eighteen hundred and eighty-one, are hereby repealed.

[Approved February 14, 1883.]

Chapter 122.

AN ACT to establish the manner of calling meetings of village corporations.

Be it enacted, &c., as follows:

The meetings of any village corporation may be notified by the person to whom the warrant is directed by his posting up attested copies thereof, in two or more public and conspicuous places within the limits of the corporation seven days before the meeting, instead of as now provided by the act creating said corporation, provided that such corporation shall first at a legal meeting, designate at what and how many places such notices shall be posted.

[Approved February 14, 1883.]

Chapter 123.

AN ACT regulating the compensation of Clerk of the Judicial Courts in the county of Piscataquis.

Be it enacted, &c., as follows:

The clerk of the judicial courts of Piscataquis county shall hereafter receive an annual salary of seven hundred dollars to be paid from the fees of his office only in quarterly payments; said sum shall be in full compensation for the performance of all duties required of him by law including those performed by him as clerk of the county commissioners, or by clerk pro tem, appointed by him under section seven of chapter seventy-eight of the revised statutes. He shall render an account of all

tees of office as required by law, be responsible for the same whether received or not, and pay the amount over the sum of seven hundred dollars to the treasurer of the county, for the use thereof.

[Approved February 14, 1883.]

Chapter 124.

AN ACT additional to chapter seventy-four of the Public Laws of eighteen hundred and seventy-eight, relating to insolvency.

Be it enacted, &c., as follows:

Debts due to the state as entitled to priority under section thirty-six of this act shall not be held to include debts to the state in behalf of the state prison.

[Approved February 14, 1883.]

Chapter 125.

AN ACT to amend section one of chapter sixty of the laws of eighteen hundred and eighty-one, in relation to the Registry of Deeds.

Be it enacted, &c., as follows:

Section one of chapter sixty of the public laws of eighteen hundred and eighty-one is hereby amended by inserting after the word "commonwealth" in the fourth line "or of said commonwealth of Massachusetts of the lands of said commonwealth of Massachusetts in Maine," so that said section, as amended shall read as follows:

SECT. 1. A copy from the records now in the land office, or a deed from the state, or of the land of the state, or of a deed from the state and the commonwealth of Massachusetts of the undivided lands of the state and said commonwealth, or of said commonwealth of Massachusetts of the lands of said commonwealth of Massachusetts in Maine; certified by the land agent or other legal custodian of such records, as a true copy of such record, may be filed and recorded in the registry of deeds, in the county where the land lies, and shall have the same effect as if the deed itself had been recorded, and certified copies thereof, from such registry shall be evidence when the original would be.

[Approved February 14, 1883.]

Chapter 126.

AN ACT relating to taxes on personal property.

Be it enacted, &c., as follows:

Specification one of section fourteen of chapter six of the revised statutes, as amended by chapter twenty-eight of the public laws of eighteen hundred and eighty-one, is hereby amended so to be as follows:

"First. All personal property employed in trade, in the erection of buildings or vessels, or in the mechanic arts, shall be taxed in the town where so employed on the first day of April in each year; provided, the owner, his servant, sub-contractor or agent, so employing them occupies any store, shop, mill, wharf, landing-place or ship-yard therein for the purpose of such employment."

[Approved February 14, 1883.]

Chapter 127.

AN ACT to provide for an annual examination of the accounts of the Treasurer of State.

Be it enacted, &c., as follows:

The governor and council shall annually appoint a committee, consisting of not less than three citizens of the state, who shall carefully examine the accounts of the state treasurer as embodied in his annual report, and certify in writing the result of such examination; and said certificate shall be appended to his report. They shall also examine all canceled bonds and coupons and destroy the same by burning in the presence of the treasurer, giving him a certificate of such destruction. They shall make a sworn report of their doings as such committee to the governor and council, and said report shall be entered on the records of the governor and council, and filed in the office of the secretary of state. The compensation of said committee shall be fixed by the governor and council and paid from the contingent fund of the governor and council; and said committee may consist wholly or in part, of members of said council.

[Approved February 15, 1883.]

Chapter 128.

AN ACT authorizing the Land Agent to execute in behalf of the State, release deeds in certain cases.

Be it enacted, &c., as follows:

The land agent is hereby authorized and empowered to give release deeds in behalf of the state, in cases where conditional deeds have been given and the records in the land office show that the conditions have been fully complied with.

[Approved February 15, 1883.]

Chapter 129.

AN ACT to facilitate the preparation and issue of the annual report of the State Superintendent of Schools.

Be it enacted, &c., as follows:

SECT. 1. Section eight of chapter one hundred and twenty-four of the public laws of eighteen hundred and seventy-three entitled "An Act in aid of Free High Schools," as amended by chapter two hundred and twenty-nine of the public laws of eighteen hundred and eighty, is further amended by substituting for the word "December," in the third line thereof, the word "June," so that said section shall read as follows:

SECT. 8. The superintending school committee or committees having the supervision of any free high school or schools shall annually, before the first day of June, make returns under oath to the superintendent of common schools, on blanks prepared and sent out by him, of the amount appropriated, and also the amount expended by each town or school district for instruction in such free high school or schools during the current year; also of the amount appropriated and the amount

expended for common school purposes by each town or school district maintaining such free high school or schools: the number of weeks which such school or schools have been taught; the wages paid each teacher; the number of pupils registered; the average attendance; the number of pupils in each branch of study pursued and the amount received for tuition. If the superintendent of common schools shall be satisfied that the provisions of this act have been complied with, he shall certify to the governor and council the sum which each town or district is entitled to receive from the state under this chapter. If any town or district is dissatisfied with the decision of the superintendent of common schools, such town or district may appeal to the governor and council. The governor and council shall issue a certificate to the treasurer of the town or district for such amount as they may adjudge such town or district is entitled to receive from the state treasury. Any person or persons connected with the management of such free high schools, either as teacher, school agent, school committee or supervisor, who shall in any way aid or abet in defrauding the state in the payment in support of said schools of more than is contemplated by the spirit and tenor of this act, shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the county jail for not less than one year.

SECT. 2. Section ninety-two of chapter eleven of the revised statutes is hereby amended so as to read as follows:

SECT. 92. The treasurer shall immediately after the first day of July, apportion to the towns all state school funds for the year according to the list of children furnished by the superintendent of common schools, as provided in section seventy-four. The number of scholars belonging to a town from which either the school committee or the municipal authorities thereof have failed to make the returns required by law, shall be reckoned by taking the number used as the basis of the last apportionment and deducting all scholars set off to other towns or incorporated into a new town within a year, and one-tenth of the remainder, and the residue shall be the basis of a new apportionment. Immediately after making the apportionment, the treasurer shall notify each town of its proportion, which shall not be paid to any town until its returns are made to the superintendent of common schools.

[Approved February 17, 1882.]

Chapter 130.

AN ACT relating to fines and penalties recovered for violation of the fish and game laws.

Be it enacted, &c., as follows:

SECT. 1. All fines and penalties hereafter recovered for the violation of chapters fifty and seventy-five of the public laws of eighteen hundred and seventy-eight, and all acts amendatory thereof, and of all laws now in force in this state for the protection of fish and game, shall be paid one-half to the complainant and one-half to any game and fish protective society or other sportsmen's association, which shall have been organized under the laws of Maine, and which may be located in the county where the said fines and penalties are recovered; provided, the said society or association shall expend the same in the propagation and cultivation of trout and salmon for the fresh water lakes and ponds of Maine, to be done under the direction and supervision of the fish commissioners. In case there may be more than one such society or association located in the county where said fines and penalties are recovered, the fish commissioners shall designate which society the money shall be paid to, or they may cause the same to be divided between them. If there is no such society or association in the county where such fines and penalties are recovered, then such fines and penalties shall be paid to the state fish commissioners, who shall appropriate the same as they may deem proper.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved.

[Approved February 17, 1883.]

Chapter 131.

AN ACT to amend section twelve of chapter eighty-three of the Revised Statutes of eighteen hundred and seventy-one, relating to the duties of trial justices.

Be it enacted, &c., as follows:

That the words "is unable to" in the first line thereof, be stricken out and the word "fails" inserted in lieu thereof, and that all the words after the word "if" in the seventh line thereof, to and including the word "continuance" in the ninth line thereof, be stricken out and the words "said trial justice, who so appointed such time and place, or before whom such writ is returnable, fails to attend at the time and place fixed in such continuance, such action then and there," be inserted in lieu thereof, so that said section, as amended, shall read as follows:

SECT. 12. When a trial justice fails to attend at the time and place appointed by him for the trial of any suit already entered, or at which any writ is returnable before him, any other trial justice who might legally try the same, or any justice of the peace and quorum, residing in the same or adjoining town, may attend and continue such action once, to a day certain, not exceeding thirty days, and note the fact on the writ, and in his own docket; and if said trial justice, who so appointed such time and place, or before whom such writ is returnable, fails to attend at the time and place fixed in such continuance, such action then and there may be entered before, and tried by some other trial justice of

the same town, or if none such resides therein, then before some trial justice of the same county, who may render judgment and issue execution as if the action had been originally returnable before him.

[Approved February 17, 1883.]

Chapter 132.

AN ACT to amend section four of chapter two hundred and thirty-five of the Public Laws of eighteen hundred and eighty, relating to remodeling the Board of Agriculture.

Be it enacted, &c., as follows:

Section four of chapter two hundred and thirty-five of the public laws of eighteen hundred and eighty, entitled "An Act to remodel the Board of Agriculture," is hereby amended by striking out, in the sixth line, after the word "report," the clause, "in size not exceeding two hundred pages;" and also in the seventeenth line of said section by striking out the word "nine," and inserting in the place thereof the word "three;" and also in the same line the word "one," and inserting in the place thereof the word "five;" and also in the eighteenth line of said section by striking out the words "those in paper covers," and inserting in the place thereof the word "each," so that the said section, as amended, shall read:

SECT. 4. The board shall appoint a secretary, as its chief executive officer, for a term of three years and until his successor shall be appointed, and may prescribe his duties, a part of which shall be to acquaint himself, by personal observation, investigation and correspondence, with the methods and wants of practical husbandry, the means of fertilization, the adaptation of various products to the soils and climate of Maine; also with the progress of scientific practical agriculture elsewhere, with a view to the more complete development of the natural resources of the state. He shall annually, on or before the third Wednesday in January, present to the governor and council a report of the doings of the board and the results of his own labors and investigations, together with such communications, suggestions and recommendations as may be useful. Ten thousand copies of said report shall be printed; five thousand bound in paper covers, five thousand in cloth; one-half of each for the use of the legislature, and the remainder, after reserving a suitable number for foreign exchanges, for distribution, under the direction of the board, among the agricultural associations and the people of the state.

[Approved February 17, 1883.]

Chapter 133.

AN ACT to amend section two, chapter fifty-eight, of the Revised Statutes of eighteen hundred and seventy-one, in relation to the election of members of the Board of Agriculture.

Be it enacted, &c., as follows:

Section two, chapter fifty-eight of the revised statutes of eighteen hundred and seventy-one, is hereby amended by striking out, in the sixth line, the words "second Wednesday of December," and inserting in place thereof the words "third Wednesday of January," so that said section, as amended, shall read as follows:

SECT. 2. If there is more than one such society in any county, the executive officers of the oldest shall designate a time and place for a convention of five delegates, chosen at a regular meeting, from each society; and the secretary of such oldest society shall give written notice thereof to the secretary of each other society. The convention shall be held prior to the third Wednesday of January, elect a president and secretary, and by ballot, a member of the board of agriculture for that county. If no election is thus made, the secretary shall immediately send to the governor and council the names of two or more persons having the highest number of votes, and they shall elect one of them. The written certificate of the secretary of the society or convention electing a member, shall be his credentials in the board.

[Approved Feb. 17, 1883.]

Chapter 134.

AN ACT to repeal chapter one hundred and four of the Public Laws of eighteen hundred and seventy-nine, relating to the taking of togue or trout in the Great Tunk Pond.

Be it enacted, &c., as follows:

Chapter one hundred and four of the public laws of eighteen hundred and seventy-nine, relating to the taking of togue or trout in Great Tunk pond, is hereby repealed.

[Approved February 17, 1883.]

Chapter 135.

AN ACT to amend section three of chapter two hundred and forty-four of the Public Laws of eighteen hundred and eighty, entitled "An Act to tax express corporations, companies or persons carrying on express business in this state."

Be it enacted, &c., as follows:

Section three of chapter two hundred and forty-four of the public laws, approved the nineteenth day of March, one thousand eight hundred and eighty, is hereby amended by adding thereto the following: "except, however, that real estate owned by such corporations, companies or persons shall be taxed in the municipality where the same is situated as non-resident real estate; but the amount of taxes assessed upon such portion of real estate owned and actually used by them in the transaction of their business shall be deducted by the governor and council from the tax herein provided," so that said section, as amended, shall read as follows:

SECT. 3. The tax assessed upon corporations, companies and persons as aforesaid, shall be for the year commencing April one, in the year of our Lord one thousand eight hundred and eighty-three, and for every subsequent year, and payable to the state treasurer on or before the first day of May au-

usually afterwards, and shall be in lieu of all local taxation, except, however, that real estate owned by such corporations, companies or persons shall be taxed in the municipality where the same is situated as non-resident real estate; but the amount of taxes assessed upon such portion of real estate owned and actually used by them in the transaction of their business shall be deducted by the governor and council from the tax herein provided.

[Approved February 20, 1883.]

Chapter 136.

AN ACT to amend chapter fifty-five, section one, of the Revised Statutes, in relation to Libraries, Charitable Societies and Public Cemeteries.

Be it enacted, &c., as follows:

SECT. 1. The first section of chapter fifty-five of the revised statutes, as amended by chapter seventy-one of the public laws of the year eighteen hundred and seventy-six, is hereby further amended by inserting the words "a relief or benefit association for mutual assistance," also the words "educational, social, military, agricultural, moral, religious," so as to read as follows, to wit:

SECT. 1. When seven or more persons desire to be incorporated as the proprietors of a social, literary, library, scientific, or a county law library; as a masonic lodge or chapter of any order or degree; as a lodge of the independent order of odd fellows; as a division of the sons of temperance; as a tent of Rechabites; as a grange of patrons of husbandry; as a council of the sovereigns of industry; as a relief or benefit association for mutual assistance; as a monument or memorial association; or as a society to promote in any way the cause of temperance; or for any literary, scientific, musical, charitable, educational, social, military, agricultural, moral, religious or benevolent purpose whatsoever; they may apply in writing to any justice of the peace in the county, and he may issue his warrant, directed to one of said applicants, requiring him to call a meeting of the applicants, at such time and place as the justice appoints.

SECT. 2. This act shall take effect when approved. [Approved February 21, 1883.]

Chapter 137.

AN ACT to provide for the establishment of titles to lands among the Penobscot Indians, and for the preservation of evidence of such titles.

Be it enacted, &c., as follows:

SECT. 1. Three suitable persons shall be appointed commissioners by the governor and council, whose duty it shall be to examine the titles of the several occupants or claimants of lots or parcels of land among the Penobscot Indians, and to determine, as between members of said tribe, who is the rightful and equitable owner of each of said lots or parcels.

SECT. 2. Said commissioners shall sit at such times and places as shall best facilitate their labors, having regard for the convenience of those members of the tribe whose rights are to be considered by them, and within one year from the date of their appointment shall make to the governor and council a final report of their doings, containing a description of each lot, the ownership of which has been determined by them, and the names of the parties respectively entitled thereto, which report shall be deposited in the land office of the state for preservation. They shall also present an account of the time occupied and expense incurred in the performance of their duties to the governor and council, who shall audit said account and allow them reasonable compensation.

SECT. 3. When the boundaries of lots are in dispute, or cannot be found, and the commissioners are unable to determine the same by existing surveys or data, they may employ a competent surveyor to assist them in establishing such boundaries, whose account for services shall be audited by the governor and council and fair compensation allowed.

SECT. 4. Said commissioners shall give all parties interested a reasonable opportunity to be heard; shall have power to send for persons and papers; summon, swear and examine witnesses; take testimony under oath or otherwise; and their award, or that of a majority of them, as to the rightful and equitable ownership of such lots or parcels of land shall be final and conclusive as to all members of said tribe.

SECT. 5. Said commissioners shall immediately, upon the completion of their labors, furnish the agent of said Penobscot Indians a copy of their determination as to description and ownership of lots, and said agent shall thereupon issue to the individuals named therein a certificate in substance as follows:

Whereas, and commissioners appointed by the governor and council of the state, under authority of the legislature, have determined that _____, a member of the Penobscot tribe of Indians, is the owner of the following described lot or parcel of land, viz.:

Now, therefore, know all men by these presents, that I, _____, agent of the Penobscot tribe of Indians, do hereby assign, set out and confirm to said the aforescribed lot of land. To have and to hold to him, his heirs and assigns, during the pleasure of the legislature.

In witness whereof, I have hereunto set my hand and seal as agent of the Penobscot tribe of Indians, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

(Agent of the Penobscot tribe of Indians.)

SECT. 6. Said agent shall record the return of the commissioners as made to him, and also the aforesaid certificates, when issued, in duplicate books

suitable for the purpose, prepared with proper indexes, one of which shall be kept by said agent and his successors for ready reference, and the other shall be deposited in the registry of deeds of Penobscot county, to be kept as other records are there kept. For issuing the certificates aforesaid, making up the records as herein provided, and for such services as he may be called upon to render, said commissioners in the performance of their duties, said agent shall receive such compensation as the governor and council may all-w.

SECT. 7. Any Indian holding lands under the foregoing certificate, or by virtue of any assignment under the laws relating to the apportionment of the lands of said Penobscot tribe, may sell and convey the same to any member of the same tribe, with the approval of the agent; provided that no Indian shall hereafter be permitted to purchase lands upon the reservation of said tribe beyond his fair proportion of such reservation.

SECT. 8. Conveyances made by virtue of section seven of this act shall be by release deed, duly executed and acknowledged, and shall have the approval of the agent written thereon; and said deed and approval shall be recorded by the agent without fee, in a book kept by him for that purpose, and by the register of deeds of Penobscot county, in a like book kept in the registry of deeds in said county, upon payment of twenty-five cents for each deed so recorded. And until recorded as herein provided, no deed made as aforesaid shall be operative to pass any title whatever.

SECT. 9. It shall also be the duty of the agent, of said tribe to enter upon his record, a memorandum of the death of any Indian owning lands, the date of such death, a description of the lot or lots owned by the deceased, and the names of those, so far as ascertainable, who are entitled to such lands by inheritance.

SECT. 10. Deeds made by any Indian of the Penobscot tribe as in section eight, may be deposited with the agent of said tribe, to be delivered by him to the grantee named therein, after the death of the grantor, if the fact that such deed is so deposited to be so delivered, shall appear by the deed itself; and when delivered by said agent, it shall have the effect to pass all the title the grantor had in the premises described therein at the time of his death.

SECT. 11. Assignments hereafter made of unsig-ned lands of the tribe, shall be to members who never have had assigned to them their proportion of the tribe's lands, or to whom no such assigned portion has ever come by way of inheritance, or who do not already hold by assignment, purchase or otherwise, their fair share of said lands; and shall be accompanied by a certificate from the agent, to be recorded as in section eight of this act, which shall be in form substantially as follows:

Know all men by these presents, that I, _____, agent of the Penobscot tribe of Indians, have caused to be surveyed and set off to _____ a portion of the lands belonging to said tribe on the islands in Penobscot river, as contemplated by the acts of the legislature, bounded and described as follows:

To have and to hold to him, his heirs and assigns, as contemplated by said acts during the will of the legislature.

In witness whereof, I have hereunto set my hand and seal as agent of the Penobscot tribe of Indians, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

SECT. 12. Any member of said tribe who has abandoned, or may abandon it, and who has joined, or may join, any other tribe, shall forfeit all lands assigned to him, and the same may be assigned anew, as provided in section eleven of this act.

SECT. 13. The provisions of this act are to be applied to house-lots on the point of Oldtown Island, as well as to lands allotted for agricultural purposes, and the certificates herein prescribed shall be effectual to confer title to either class.

SECT. 14. Copies of deeds or certificates recorded as provided in this act, duly attested by the register of deeds or by the agent of said tribe, shall be admissible in evidence in all actions or controversies relating to title to lands between members of said tribe.

SECT. 15. All acts or parts of acts inconsistent with this act are hereby repealed.

SECT. 16. This act shall take effect when approved. [Approved February 21, 1883.]

Chapter 138.

AN ACT for the protection of lobsters.

Be it enacted, &c., as follows:

SECT. 1. There shall be a close time for lobsters from the fifteenth day of August to the fifteenth day of November in each year, during which close time, no lobster shall be fished for, taken, caught, killed, bought, sold, exposed for sale or in possession in cars, pounds or otherwise, under a penalty of fifty dollars for the offense and one dollar for each and every lobster so taken, caught, killed, bought, sold, exposed for sale or in possession as aforesaid.

SECT. 2. It shall be unlawful to fish for, catch, buy, sell, expose for sale or possess for canning purposes, or otherwise, between the first day of April and the first day of August, of each year, any female lobster, in spawn or with eggs attached, or any young lobster less than nine inches in length measuring from head to tail, exclusive of claws or feelers; and when caught they shall be liberated alive, at the risk and cost of the party taking said lobsters, under a penalty of one dollar for each and every lobster so caught, bought, sold, exposed for sale, in possession or not so liberated.

SECT. 3. The penalties imposed by this act may be recovered in the manner provided by section

twenty-six of chapter seventy-five of the public laws of eighteen hundred and seventy-eight. [Approved February 21, 1883.]

Chapter 139.

AN ACT to amend chapter fifty-seven, section six, of the Revised Statutes, relating to tolls for grinding grain.

Be it enacted, &c., as follows:

Section six of chapter fifty-seven, of the revised statutes is hereby amended by striking out the words "except buckwheat and India wheat," and such part of said section as relates to the same, so that it will read, when amended, as follows:

SECT. 6. The toll for grinding, cleansing and bolting all kinds of grain, shall not exceed one-sixteenth part thereof. [Approved February 21, 1883.]

Chapter 140.

AN ACT to increase the salaries of the judge and register of probate and of the county attorney for the county of Aroostook.

Be it enacted, &c., as follows:

SECT. 1. The salary of judge of probate for the county of Aroostook shall be four hundred dollars, instead of the sum now fixed by law.

SECT. 2. The salary of the register of probate for the county of Aroostook shall be five hundred dollars, instead of the sum now fixed by law.

SECT. 3. The salary of the county attorney for the county of Aroostook shall be three hundred dollars, instead of the sum now fixed by law.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 5. This act shall take effect when approved. [Approved February 21, 1883.]

Chapter 141.

AN ACT to confer upon sheriffs, deputy sheriffs, police officers and constables, the powers of game wardens and their deputies.

Be it enacted, &c., as follows:

Sheriffs, deputy sheriffs, police officers and constables, are hereby vested with all the powers conferred by law upon game wardens and their deputies, and shall be allowed for their services, the same fees as are now prescribed for sheriffs and their deputies. [Approved February 21, 1883.]

Chapter 142.

AN ACT to amend chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to the protection of moose, caribou or deer.

Be it enacted, &c., as follows:

SECT. 1. Section three of chapter fifty of the public laws of eighteen hundred and seventy-eight is hereby amended by inserting the word "hunted" before the word "killed," so that, as amended, said section shall read as follows:

SECT. 2. No person shall hunt, kill or destroy with dogs, any moose within this state under a penalty of one hundred dollars for every moose so hunted, killed or destroyed; and no person shall, between the first day of January and the first day of October in each year, in any manner, hunt, kill or destroy any moose under the same penalty.

SECT. 3. Section four of said chapter fifty is hereby amended by inserting the word "hunted" before the word "killed," so that, as amended, said section shall read as follows:

SECT. 4. No person shall hunt, kill or destroy with dogs, any deer or caribou within this state under a penalty of forty dollars for every such deer or caribou so hunted, killed or destroyed; and no person shall, between the first day of January and the first day of October, in any manner, hunt, kill or destroy any deer or caribou under the same penalty as above provided. Any person may lawfully kill any dog found hunting moose, deer or caribou. [Approved February 21, 1883.]

Chapter 143.

AN ACT amending section six, chapter one hundred and twenty, of the Public Laws of eighteen hundred and seventy-six, relative to profile paper.

Be it enacted, &c., as follows:

SECT. 1. Section six, chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six, shall be amended so that in the fifth and sixth lines, instead of the words "a vertical scale of ten to one compared to the horizontal scale," there shall be the words "the relative scales of profile paper in common use," so that the first sentence of section six, chapter one hundred and twenty, shall read: "Every corporation organized under this act, before commencing the construction of its road, shall present to the board of railroad commissioners a petition for approval of location, accompanied with a map of the proposed route on an appropriate scale, and with a profile of the line on the relative scales of profile paper in common use, and with a report and estimate prepared by a skillful engineer from actual survey."

SECT. 2. This act shall take effect when approved. [Approved February 21, 1883.]

Chapter 144.

AN ACT for the protection of salmon, landlocked salmon and trout.

Be it enacted, &c., as follows:

SECT. 1. No person shall fish for, take, catch, kill or destroy any fish in any waters, except tide waters, with any net, seine, weir or trap, under a penalty of fifty dollars for the offense and ten dollars for each salmon or landlocked salmon so taken, caught, killed or destroyed.

SECT. 2. No person shall kill or destroy any landlocked salmon less than nine inches in length or any trout less than five inches in length, under a penalty of five dollars for the offense and fifty cents for each and every landlocked salmon or trout so killed or destroyed. Any person having in possession any landlocked salmon or trout of less than the above

dimensions shall be deemed to have killed or destroyed them in violation of the provisions of this section.

SECT. 3. No person shall take, catch, kill or have in possession, at any one time, for the purpose of transportation, more than fifty pounds in weight of landlocked salmon or trout or of both together, nor shall any such be transported except in the possession of the owner thereof, under a penalty of fifty dollars for the offense, and five dollars for each and every pound of landlocked salmon or trout or both together so taken, caught, killed, in possession or being transported in excess of fifty pounds in weight; and all such fish transported in violation of the provisions of this section shall be liable to seizure on complaint and shall be decreed by the court, forfeited to the use of the party prosecuting. Any person having in possession more than fifty pounds in weight of the fish aforesaid, shall be deemed to have taken them in violation of this section.

SECT. 4. All penalties imposed by any of the sections of this act may be recovered in the manner provided by section twenty-six, chapter seventy-five of the public laws of eighteen hundred and seventy-eight.

Chapter 143.

AN ACT to amend section fourteen of chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to insectivorous birds.

Be it enacted, &c., as follows:

Section fourteen of chapter fifty of the public laws of eighteen hundred and seventy-eight, is hereby amended by adding thereto the following words, viz: "under a penalty of not less than one dollar, nor more than five dollars for each of said birds killed, and the possession by any person of such dead bird, shall be prima facie evidence that such person killed such bird," so that as amended, said section will read as follows:

SECT. 14. No person shall kill, or have in his possession, except alive, any of the birds commonly known as larks, robins, swallows, sparrows or orioles, or other insectivorous birds, crows and hawks excepted, under a penalty of not less than one dollar, nor more than five dollars, for each of said birds killed, and the possession by any person of such dead bird, shall be prima facie evidence that such person killed such bird.

[Approved February 26, 1883.]

Chapter 146.

AN ACT providing that a party in possession of real property may petition to compel supposed claimant of such property to bring action to try his title.

Be it enacted, &c., as follows:

SECT. 1. Any person in possession of real property, claiming an estate in feehold therein, or an unexpired term of not less than ten years, may file a petition to the supreme judicial court setting forth his estate, whether of inheritance for life, or for years, describing the premises, averring that he is credibly informed and believes that some person or persons named in the petition makes some claim adverse to his estate, and praying that such person or persons may be summoned to show cause why they should not bring an action to try their alleged title. A person who is in the enjoyment of an easement shall be held to be in possession of real property within the meaning and for the purposes of this section.

SECT. 2. Upon such petition, the court shall order notice to be given to the supposed claimants, returnable at a court to be holden in the county where the property, or some portion of it, lies; and if upon return of the order of notice, duly executed, they make default, or, having appeared, disobey the lawful order of the court to bring an action and try their title, the court shall enter a decree that they be forever debarred and estopped from having or claiming any right or title, adverse to the petitioner, in the premises described. If the petitioner prefers, the petition may be inserted like a declaration in a writ, and served by copy, like a writ of original summons. If the persons so summoned appear and disclaim all right and title adverse to the petitioner, they shall recover their costs. If they claim title, they shall, by answer, show cause why they should not be required to bring an action and try such title; and the court shall make such decree respecting the bringing and prosecuting of such action as may seem equitable and just.

[Approved February 26, 1883.]

Chapter 147.

AN ACT to establish the salary of the Judge of Probate of the County of Penobscot.

Be it enacted, &c., as follows:

The judge of probate of the county of Penobscot, shall receive the annual salary of eight hundred dollars, from and after the first day of January, in the year of our Lord eighteen hundred and eighty-three, to be paid in the manner provided by law for such salaries in other counties, instead of the sum allowed by chapter one hundred and fifty of the public laws of the year eighteen hundred and seventy-nine.

[Approved February 26, 1883.]

Chapter 148.

AN ACT to repeal chapter fifty-six of the Public Laws of eighteen hundred and seventy-eight, and the first and second sections of chapter forty-eight of the Public Laws of eighteen hundred and seventy-five, relating to the public debt.

Be it enacted, &c., as follows:

SECT. 1. Chapter fifty-six of the public laws of eighteen hundred and seventy-eight, entitled, "An Act to amend chapter forty-eight of the public laws of eighteen hundred and seventy-five, relating to

the public debt," and the first and second sections of chapter forty-eight of the public laws of eighteen hundred and seventy-five, entitled "An Act renewing a portion of the public debt, discontinuing the sinking fund of eighteen hundred and sixty-five, and abolishing the office of commissioners of the sinking fund," are hereby repealed.

SECT. 2. This act shall take effect when approved.

[Approved February 26, 1883.]

Chapter 149.

AN ACT to apportion the state for representatives to Congress.

Be it enacted, &c., as follows:

SECT. 1. The counties of York and Cumberland shall compose the first district, and be entitled to one representative. The counties of Oxford, Franklin, Androscoggin, Sagadahoc, Knox and Lincoln shall compose the second district, and be entitled to one representative. The counties of Kennebec, Somerset, Waldo and Hancock shall compose the third district, and be entitled to one representative. The counties of Penobscot, Piscataquis, Aroostook and Washington shall compose the fourth district, and be entitled to one representative.

SECT. 2. The election of representatives to congress shall take place and be on the second Monday of September, one thousand eight hundred and eighty-four, and thereafter biennially.

SECT. 3. The representatives chosen in the several districts shall, at the time of their election, be residents therein. The foregoing division of the state into representative districts, shall be, and continue in force until an apportionment shall be made for representatives to congress, after taking the decennial census.

SECT. 4. In case any vacancy among the representatives to congress requires an election prior to the second Monday of September, one thousand eight hundred and eighty-four, or at any other time, then such vacancy shall be filled by the proper district under this apportionment.

SECT. 5. This act shall take effect when approved.

[Approved February 26, 1883.]

Chapter 150.

AN ACT relative to the taxation of Horse Railroad Companies.

Be it enacted, &c., as follows:

SECT. 1. Horse railroad corporations and associations are hereby made subject to the provisions of the act entitled "An Act relating to the taxation of railroads," approved March seventeen, one thousand eight hundred and eighty-one, except that the tax shall be ascertained as follows: when the gross average receipts per mile shall not exceed one thousand dollars, the tax shall be equal to one-tenth of one percent on the gross transportation receipts; and for each one thousand dollars additional average gross receipts per mile, or fractional part thereof, the rate shall be increased one-tenth of one percent.

SECT. 2. This act shall take effect when approved.

[Approved February 26, 1883.]

Chapter 151.

AN ACT additional to chapter ninety-two of the Revised Statutes, concerning mills and mill-dams.

Be it enacted, &c., as follows:

In order to create ponds for the purpose of cutting and harvesting ice for the market, any persons or corporation may erect and maintain, on their own land, a dam or dams, on streams not navigable or floatable, but emptying into tide waters, navigable in the winter, and flow the lands above during the months of November, December, January, February, March and April; but they shall draw off the water to its natural state by the twentieth day of May in each year; and if any such lands are injured by such flowing, the owners thereof shall have the same remedies in all respects as in case of lands flowed by dams erected and maintained for mill purposes, provided, however, that no right shall be granted by this act to flow any mill-dam or any mill privilege, improved or unimproved.

[Approved February 28, 1883.]

Chapter 152.

AN ACT to amend section one hundred and twenty-seven of chapter eighty-two of the Revised Statutes, relating to alias or pluries executions.

Be it enacted, &c., as follows:

Section one hundred and twenty-seven of chapter eighty-two of the revised statutes, is hereby amended by striking out the word "three" in the second line of said section, and inserting the word "ten," so that said section, as amended, shall read:

SECT. 127. An alias or pluries execution may be issued within ten years after the day of the return of the preceding execution, and not afterwards.

[Approved February 28, 1883.]

Chapter 153.

AN ACT to establish the salary of the Clerk of the Supreme Judicial Court for Somerset County.

Be it enacted, &c., as follows:

That so much of section five of chapter one hundred and fifty of the public laws of eighteen hundred and seventy-nine, as relates to the salary of the clerk of the supreme judicial court for Somerset county, is hereby repealed, and the salary of said clerk is hereby established at and restored to what it was before the passage of said section of said act.

[Approved February 28, 1883.]

Chapter 154.

AN ACT to prevent deception in sales of butter and cheese.

Be it enacted, &c., as follows:

SECT. 1. Whoever by himself or his agents, shall sell, expose for sale or have in his possession with intent to sell, any article substance or compound,

made in imitation or semblance of butter, or as a substitute for butter, and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, shall have the words, adulterated butter, or if such substitute is the compound known as oleomargarine, then the word, oleomargarine, stamped, labeled or marked, in printed letters of plain roman type not less than one inch in length so that said word cannot be easily defaced, upon the top and side of every tub, firkin, box or package containing any of said articles, substance or compound.

And in case of retail sales of any of said articles, substance or compound not in the original packages, the seller, by himself or his agent, shall attach to each package so sold at retail, and deliver with said package to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of said package the words, adulterated butter, or the word, oleomargarine, as herein provided, in printed letters of plain roman type not less than one-half inch in length.

SECT. 2. Whoever, by himself or his agents, shall sell, expose for sale or have in his possession with intent to sell, any article, substance or compound, made in imitation or semblance of cheese, or as a substitute for cheese, and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, shall have the words, imitation cheese, stamped, labeled or marked, in printed letters of plain roman type not less than one inch in length, so that said words cannot be easily defaced, upon the side of every cheese-cloth or band around the same, and upon the top and side of every tub, firkin, box or package containing any of said articles, substance or compound.

And in case of retail sales of any of said article, substance or compound not in the original packages, the seller, by himself or his agents, shall attach to each package so sold at retail, and deliver with said package to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of said package the words, imitation cheese, in printed letters of plain roman type not less than one-half inch in length.

SECT. 3. Whoever sells, exposes for sale or has in his possession, with intent to sell, any article, substance or compound made in imitation or semblance of butter, or as a substitute for butter, except as provided in section one; whoever sells, exposes for sale, or has in his possession with intent to sell, any article, substance or compound made in imitation or semblance of cheese, or as a substitute for cheese, except as provided in section two; and whoever shall deface, erase, cancel or remove any mark, stamp, brand, label or wrapper provided for by this act, or change the contents of any box, tub, article or package marked, stamped or labeled as aforesaid, with intent to deceive as to the contents of said box, tub, article or package, shall for every such offense, forfeit and pay a fine of one hundred dollars, and for a second and each subsequent offense a fine of two hundred dollars, to be recovered, by indictment, with costs in any court of this state, of competent jurisdiction.

SECT. 4. It shall be the duty of every inspector of milk, sheriff, deputy sheriff or constable to institute complaint for violating the provisions of this act whenever he has reasonable cause for suspicion, and on the information of any person who shall lay before him satisfactory evidence on which to sustain the same. It shall be the duty of said inspector or constable to take specimens of suspected butter or cheese and cause the same to be analyzed or otherwise satisfactorily tested. The expense of such analysis or test, not exceeding twenty dollars in any one case, shall be included in the costs of prosecution, and taxed and allowed to the officer paying the same.

SECT. 5. For the purposes of this act, the terms butter and cheese shall be understood to mean the products usually known by these names, and which are manufactured exclusively from milk or cream, or both, with salt and rennet, and with or without coloring matter.

Chapter 155.

AN ACT to repeal chapter one hundred and ninety-two of the Public Laws of eighteen hundred and seventy-four and section seventeen of chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to taxidermists and all acts authorizing their appointment.

Be it enacted, &c., as follows:

SECT. 1. Chapter one hundred and ninety-two of the public laws of eighteen hundred and seventy-four and section seventeen of chapter fifty of the public laws of eighteen hundred and seventy-eight, are hereby repealed.

SECT. 2. All acts and parts of acts authorizing the appointment of taxidermists, are hereby repealed.

[Approved February 28, 1883.]

Chapter 156.

AN ACT giving further authority to Notaries Public to take acknowledgments and administer oaths.

Be it enacted, &c., as follows:

SECT. 1. Notaries public, in addition to the powers which they now have, may take acknowledgments of deeds and other instruments and administer oaths in all cases where a justice of the peace can act.

SECT. 2. Any and all such acts hitherto performed by any notary public are hereby made as valid as if the same had been performed by a justice of the peace.

SECT. 3. This act shall take effect when approved.

[Approved February 28, 1883.]

Chapter 157.

AN ACT making Sunday a close time for game and birds of all kinds.

Be it enacted, &c., as follows:

SECT. 1. Sunday is hereby made a close time, on which day it shall not be lawful for any person to hunt, kill or destroy game or birds of any kind, under the penalties imposed for the hunting, killing or destroying the same, during any close time now established by law.

SECT. 2. This act shall not be construed to repeal or diminish the penalties already imposed for any violation of the Sunday laws.

[Approved February 28, 1883.]

Chapter 158.

AN ACT relating to seizure of fish and game under the fish and game laws.

Be it enacted, &c., as follows:

Any person whose fish or game has been seized for violation of any fish or game law, shall have such fish or game so seized returned to him on giving to the officer a bond with sufficient sureties, residents of this state, in double the amount of the fine for such violation; conditioned, that if the final judgment for such alleged violation shall be guilty, he will, within thirty days thereafter pay such fine and costs. If such person neglects or refuses to give such bond and take the fish or game so seized, he shall have no action against the officer for such seizure or loss thereof.

[Approved March 2, 1883.]

Chapter 159.

AN ACT establishing the salary of the Judge of Probate for the county of Androscoggin.

Be it enacted, &c., as follows:

SECT. 1. The Judge of Probate for the county of Androscoggin shall receive an annual salary from the treasury of said county of four hundred dollars, payable quarterly, on the first days of January, April, July and October in each year, beginning on the first day of April, eighteen hundred and eighty-three, instead of the salary now provided by law.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 2, 1883.]

Chapter 160.

AN ACT in addition to chapter one hundred and fifty-four of the Public Laws of eighteen hundred and seventy-seven, in relation to corporations.

Be it enacted, &c., as follows:

Chapter one hundred and fifty-four of the public laws of the year eighteen hundred and seventy-seven, is hereby amended by adding to the first section thereof, the following words:

"Upon proof to said court that there are no existing liabilities against said corporation, and no existing assets of said corporation requiring distribution among the stockholders, said court may dissolve said corporation without the appointment of trustees or receivers."

[Approved March 2, 1883.]

Chapter 161.

AN ACT to repeal so much of sections three and four, chapter one hundred and fifty of the Public Laws of eighteen hundred and seventy-nine, as relates to the salary of the Judge and Register of the Probate Court of the County of Somerset, and to establish the same.

Be it enacted, &c., as follows:

So much of sections three and four of the public laws of eighteen hundred and seventy-nine, as relates to the salaries of the Judge and Register of the probate court of the county of Somerset, is hereby repealed, and the salaries of said Judge and Register are hereby restored to and established at what they were before the passage of said act.

[Approved March 2, 1883.]

Chapter 162.

AN ACT to fix the compensation of certain employees of the Government.

Be it enacted, &c., as follows:

SECT. 1. The compensation of the night watchmen at the state house, not exceeding two in number, shall be seven hundred and fifty dollars per annum.

SECT. 2. This act shall take effect when approved.

[Approved March 2, 1883.]

Chapter 163.

AN ACT in relation to the jurisdiction of the Municipal Court of the city of Portland.

Be it enacted, &c., as follows:

Section four of chapter two hundred and four of the public laws of eighteen hundred and fifty-six, is hereby amended by striking out the word "twenty" where it occurs in the third line, and the words, "and on conviction, award such sentence as is by law provided for such offenses," and inserting in their stead, the word "thirty," and the words of the offenses described in section four of chapter one hundred and thirty-two of the revised statutes, when they are not of a high and aggravated nature, and, on conviction, may punish by fine not exceeding twenty dollars, or by imprisonment in the county jail not exceeding six months. And of the offenses described in section four of chapter one hundred and forty-one of the revised statutes, and, on conviction, may punish by imprisonment in the county or city house of correction, not exceeding six months," so that said section, as amended, shall read as follows:

"SECT. 4. The said court may take cognizance of simple larcenies, when the property alleged to be stolen shall not exceed in value, thirty dollars; of offenses described in section four of chapter one hundred and thirty-two of the revised statutes, when they are not of a high and aggravated nature, and, on conviction, may punish by fine not exceeding

twenty dollars, or by imprisonment in the county jail not exceeding six months. And of offenses described in section four of chapter one hundred and forty-one of the revised statutes, and, on conviction, may punish by imprisonment in the county or city house of correction, not exceeding six months. And have exclusive jurisdiction of all offenses against the by-laws of said city; and in prosecutions on such, by law, they need not be recited in the complaint, nor in allegations therein be more particular than in prosecutions on a public statute.

[Approved March 2, 1883.]

Chapter 164.

AN ACT to amend section seventeen of chapter fifty-eight of the Revised Statutes, relating to the appointment of constables at meetings of county and local agricultural societies.

Be it enacted, &c., as follows:

Section seventeen of chapter fifty-eight of the revised statutes is hereby amended by striking out the words "inhabitants of the county," so that the section, as amended, shall read as follows:

"SECT. 17. The officers of any such society may appoint a sufficient number of suitable persons to act as constables at cattle shows and exhibitions; and they shall have and exercise all the powers of constables in relation to the preservation of the public peace, and enforcing the rules and regulations of said society, within the towns where such shows and exhibitions are held from twelve o'clock at noon of the day preceding the commencement of such shows and exhibitions and until twelve o'clock at noon of the day succeeding the termination thereof and no longer." [Approved March 3, 1883.]

Chapter 165.

AN ACT to authorize county commissioners to cause repairs upon county roads and bridges, in unincorporated townships and tracts of land, in cases of sudden injury.

Be it enacted, &c., as follows:

SECT. 1. County commissioners, in cases of sudden injury to county roads and bridges in the unincorporated townships and tracts of land in their counties, may cause them to be repaired forthwith, or as soon as they may deem necessary, and may appoint an agent or agents, not members of their own board, to superintend the expenditure for such repairs, who shall give bond as required in section fifty-one of chapter six of the revised statutes, if the county commissioners require it, the whole expense whereof shall be added to their next assessment on said lands for repairs, authorized by section fifty-three of said chapter six, of the revised statutes, and acts additional thereto and amendatory thereof, which said assessments shall create a lien upon said lands for the whole amount thereof, as effectually as is now provided in relation to repairs on such county roads.

SECT. 2. That portion of said assessment which is for repairs of sudden injuries, as herein provided, shall be set down, in the assessment, in distinct items, in a separate column or columns, and shall not be discharged, under the provisions of section fifty-four of chapter six of the revised statutes, but shall be enforced, as is provided in relation to such assessments for repairs, when owners fail to make repairs.

SECT. 3. This act shall take effect when approved.

[Approved March 6, 1883.]

Chapter 166.

AN ACT amendatory of and additional to chapter fifty-one of the Revised Statutes, in relation to railroads.

Be it enacted, &c., as follows:

SECT. 1. Section sixty-seven of chapter fifty-one of the revised statutes, is hereby amended by inserting after the word "road," in the first line thereof, the words, "or right of redeeming the franchise of a railroad, and its road from a mortgage thereof," so that the first clause of said section shall read as follows:

"SECT. 67. When the franchise of a railroad and its road, or the right of redeeming the franchise of a railroad and its road from a mortgage thereof, wholly or partly constructed, are sold by a decree of court, by a power of sale in a mortgage thereof, or on execution, the purchasers have all the rights, powers and obligations of the corporation, under its charter, and may form a new corporation in the manner hereinbefore provided."

SECT. 2. Any corporation, formed under the provisions of chapter fifty-one of the revised statutes, and acts additional thereto, by the holders of railroad bonds, are empowered to acquire by purchase the right of redemption, under the mortgage securing such bonds.

SECT. 3. The provisions of chapter fifty-three of the laws of eighteen hundred and seventy-eight, shall apply to cases in which no interest has been paid for more than three years, as well as to cases in which the principal has been overdue for more than three years, as therein provided.

SECT. 4. Whenever the principal of any scrip or bonds issued by a railroad corporation shall have been due and payable more than three years, or no interest has been paid thereon for more than three years, a corporation formed by the holders of such scrip or bonds, or if no such corporation has been formed, the holders of not less than a majority of such scrip or bonds, may commence a suit in equity for the purpose of foreclosing such mortgage; and the court may decree a foreclosure of such mortgage, unless the arrears are paid within such time as the court may order.

SECT. 5. This act shall take effect when approved.

[Approved March 6, 1883.]

Chapter 167.

AN ACT relating to the laying out of ways across railroads.

Be it enacted, &c., as follows:

SECT. 1. No way shall be laid out through or across any land or right of way of any railroad corporation, used for station purposes, unless after notice and hearing the railroad commissioners adjudicate that public convenience and necessity requires it.

SECT. 2. When any way is laid out across a railroad, the railroad commissioners, upon application of the parties owning or operating such railroad, shall, upon notice and hearing, determine the manner and conditions of crossing such railroad, subject to the same rights of appeal provided by chapter forty-three of the public laws of eighteen hundred and seventy-eight.

SECT. 3. All adjudications of the railroad commissioners relating to ways shall be recorded in the office in which the location of the way is by law to be recorded.

SECT. 4. This act shall take effect when approved.

[Approved March 7, 1883.]

Chapter 168.

AN ACT to excuse corporations, which have ceased to transact business, from publishing semi-annual statements and filing annual returns.

Be it enacted, &c., as follows:

The attorney general, upon application by any corporation, and satisfactory proof that such corporation has ceased to transact all business, shall file a certificate of the fact with the secretary of state, and upon being paid reasonable compensation for his services, shall give a duplicate thereof to the corporation; and thereupon such corporation shall be excused from thereafter publishing semi-annual statements, and filing annual returns with the secretary of state, as now required by law, so long as its franchises remain unused.

[Approved March 7, 1883.]

Chapter 169.

AN ACT to amend chapter one hundred and fifty-eight of the Public Laws of eighteen hundred and seventy-seven.

Be it enacted, &c., as follows:

SECT. 1. Section one, part ten, is hereby amended by striking out of the sixth line the words, "of a debtor or debtors, residing or," and by inserting in the seventh line after the word "state," the words, "of a debtor or debtors," so that the same shall read as follows:

"Tenth. In suits for the redelivery of goods or chattels, taken and detained from the owner, and secreted or withheld, so that the same cannot be replevied, and in bills in equity, by a creditor or creditors, to reach and apply in payment of a debt, any property, right, title or interest, legal or equitable, found within this state, of a debtor or debtors, which cannot be come at to be attached on a writ or taken on execution in a suit at law, against such debtor or debtors, and which is not exempt by law from such attachment and seizure, and any property or interest conveyed in fraud of creditors."

SECT. 2. This act shall take effect when approved.

[Approved March 7, 1883.]

Chapter 170.

AN ACT to amend sections thirty-five and thirty-six of chapter sixty-three of the Revised Statutes, relating to the publication of notices in probate proceedings.

Be it enacted, &c., as follows:

SECT. 1. That section thirty-five of chapter sixty-three of the revised statutes be amended by inserting the words "or published" after the word "printed" in the third line, so that said section, as amended, shall read as follows:

"SECT. 35. In all laws relating to probate courts and proceedings, the words "public notice," denote notice published three weeks successively in a newspaper printed or published in the county, or, if none, in the state paper; the words, "personal notice," denote service by a copy given in hand or left at the place of last and usual abode, seven days at least before the time of hearing; and the words, "due notice," denote public or personal notice, at the discretion of the judge."

SECT. 2. That section thirty-six of chapter sixty-three of the revised statutes be amended by inserting the words "or published" after the word "printed" in the second line, so that said section, as amended, shall read as follows:

"SECT. 36. Any notice to be published in a newspaper shall be published in such paper printed or published in the county as the party required to publish it, selects, unless the judge deems such paper unsuitable from want of circulation or other substantial reason."

SECT. 3. This act shall take effect when approved.

[Approved March 7, 1883.]

Chapter 171.

AN ACT relating to Immigration.

Be it enacted, &c., as follows:

Whenever the governor of the state shall have knowledge that, under the provisions of an act of congress approved August three, eighteen hundred and eighty-two, officers are necessary in any town or city to take charge of the local affairs of immigration in the ports of this state and to provide for the support and relief of immigrants who shall fall into distress, he shall designate for such duty the board of overseers of the poor and their successors in such town or city, or any member or members of such board.

[Approved March 7, 1883.]

Chapter 172.

AN ACT to amend section three of chapter twenty-nine of the Revised Statutes of eighteen hundred and seventy-one, relating to bowling alleys and billiard rooms.

Be it enacted, &c., as follows:

Section three of chapter twenty-nine of the revised statutes of eighteen hundred and seventy-one is hereby amended by inserting the words "pool, bagatelle" after the word "alley," in the first line of said section, so that said section, as amended, shall read as follows:

"SECT. 3. No person shall keep a bowling alley, pool, bagatelle, or billiard room, without a license, under a penalty of ten dollars for each day such alley or room shall be so kept, to be recovered upon complaint before a judge of a municipal or police court or trial justice, or by indictment to the use of the person prosecuting." [Approved March 7, 1883.]

Chapter 173.

AN ACT to amend an act entitled "An Act to amend section fifty-five, chapter forty-nine of the Revised Statutes, relating to foreign insurance companies."

Be it enacted, &c., as follows:

That section fifty-five, chapter forty-nine of the revised statutes, as amended in eighteen hundred and seventy-four, section two hundred and seven, shall be amended by striking out the word "the," in the third line of said section, and inserting the words "each and every," so that said section shall, as amended, read as follows:

"SECT. 55. Every foreign insurance company doing business in this state, shall annually cause to be published three weeks successively, in some daily or weekly paper printed in each and every county where said company has a duly authorized agent, or takes policies, a condensed statement of its condition conformable to its last annual report to the commissioner, and any such insurance company which shall neglect or refuse to publish such statement, shall forfeit not less than fifty dollars." [Approved March 7, 1883.]

Chapter 174.

AN ACT to amend the second section of chapter fifty-three of the Public Laws of the year one thousand eight hundred and seventy-eight, relating to corporations.

Be it enacted, &c., as follows:

SECT. 1. The second section of chapter fifty-three of the public laws of eighteen hundred and seventy-eight, is hereby amended by inserting next before the word "coupons," in the second line of said section, the word "overdue," so that said section, as amended, shall read as follows:

"SECT. 2. The capital stock of such new corporation shall be equal to the amount of unpaid bonds and overdue coupons secured by such mortgage, taken at their face at the time of the organization of the new corporation, and the amount required to redeem any prior mortgage, and shall be divided into shares of one hundred dollars each. All stock issued under the provisions of this act shall be taken and considered as paid in full, and shall not be liable to further assessment; and no person taking or holding the same, shall, by reason thereof, be liable for the debts of such corporation."

SECT. 2. This act shall take effect when approved. [Approved March 7, 1883.]

Chapter 175.

AN ACT to amend chapter eighteen of the Revised Statutes relating to the abolishment of sheriff's sales in road cases.

Be it enacted, &c., as follows:

SECT. 1. Section five of chapter eighteen of the revised statutes is hereby amended by striking out the words "present their petitions for redress," and insert instead thereof the words "file their notices of appeal," and by striking out the word "petition," in the sixth line, and inserting instead thereof the words "notice of appeal," so that said section, as amended, shall read as follows:

"SECT. 5. Their return made at their next regular session after the hearing, is to be placed on file, and to remain in the custody of their clerk for inspection, without record. The case is then to be continued to their next regular term, when, or before then, all persons aggrieved by their estimate of damages, shall file their notices of appeal. If no such notice of appeal is then presented or pending, the proceedings shall be closed, recorded and become effectual; and all claims for damages not allowed by them be forever barred; and all damages awarded under the first seventeen sections shall be paid out of the county treasury."

SECT. 2. The sixth section of said chapter is hereby amended by striking out the word "petition," in the first line, and inserting instead thereof the words "notice of appeal."

SECT. 3. The eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of said chapter are hereby repealed.

SECT. 4. Any person aggrieved by the estimate of damages of the county commissioners, by the laying out or discontinuing of a way, may appeal therefrom, at any time before the third day of the regular term next after the term at which the return of the commissioners is made, to the next term of the supreme judicial court, which shall be first holden in the county where the land is situated, more than thirty days from and after the expiration of the time within which such appeal may be taken as above provided, excluding the day of the commencement of the session of said court, which court shall determine the same by a committee of reference if the parties so agree, or by a verdict of its jury, and shall render judgment and is-

sue execution for the damages recovered with costs to the party prevailing in the appeal. The appellant shall file notice of his appeal with the county commissioners within the time above limited, and at the first term of the court shall file a complaint setting forth substantially the facts of the case, upon which the case shall be tried as other cases. The clerk shall certify the final judgment of the court to the county commissioners, who shall enter the same of record. The party prevailing shall recover costs to be taxed and allowed by the court, except that the costs shall not be recovered by the party claiming damages, but by the other party, if upon appeal taken as provided in this chapter, and have adjudged to him a greater sum as damages than was allowed to him by the commissioners. [Approved March 7, 1883.]

Chapter 176.

AN ACT in relation to the settlement of persons living in unincorporated places.

Be it enacted, &c., as follows:

Whenever any person, having a pauper settlement in a town, has lived or shall have lived five years in any unincorporated place or places in the state, such person, and those who derive their settlement from him, shall be deemed to have lost their settlement in such town.

[Approved March 7, 1883.]

Chapter 177.

AN ACT establishing the salaries of the Judge of Probate and Register of Probate in the county of Piscataquis.

Be it enacted, &c., as follows:

SECT. 1. From and after the first day of January, in the year one thousand eight hundred and eighty-three, the salary of the Judge of Probate of the county of Piscataquis shall be three hundred dollars per annum, instead of the sum now allowed by law.

SECT. 2. From and after the first day of January, in the year one thousand eight hundred and eighty-three, the salary of the register of probate of the county of Piscataquis shall be three hundred and twenty-five dollars per annum, instead of the sum now allowed by law.

SECT. 3. This act shall take effect when approved. [Approved March 7, 1883.]

Chapter 178.

AN ACT to regulate the taking of shell fish or clams.

Be it enacted, &c., as follows:

SECT. 1. Any town may, at any town meeting, fix the times in which clams may be taken within the limits of such town and may fix the prices for which the municipal officers shall grant permits therefor; and unless so regulated by vote, residents of the town may take clams without any written permit. But without any such permit, any inhabitant within his own town or transient person therein may take clams for the consumption of himself or family. This act however shall not apply to hotel keepers taking clams for the use of their hotels, nor shall it interfere with any provision of law relating to the taking of shell fish for bait, by fishermen.

SECT. 2. Any person who takes clams in violation of this act, shall be punished for each offense by a fine of not more than ten dollars, or by imprisonment not more than thirty days, or both. [Approved March 9, 1883.]

Chapter 179.

AN ACT relative to foreclosure of mortgages.

Be it enacted, &c., as follows:

The third specification of section three of chapter ninety of the revised statutes is hereby amended by striking out from the fifth line thereof the words "written consent and certificate," and inserting instead thereof the words "certificate" or consent with the affidavit of the mortgagee, or person claiming under him, to the fact and time of entry indorsed thereon; so that the same specification, amended, shall be as follows:

"Third. He may enter peaceably and openly, if not opposed, in the presence of two witnesses, and take possession of the premises; and a certificate of the fact and time of such entry shall be made, signed and sworn to by such witnesses before a justice of the peace; and such certificate, or consent with the affidavit of the mortgagee or his assignee to the fact and time of entry indorsed thereon, shall be recorded in each registry of deeds in which the mortgage is or by law ought to be recorded, within thirty days next after the entry is made." [Approved March 9, 1883.]

Chapter 180.

AN ACT to amend section twenty-nine of chapter seventy-four of the Public Laws of eighteen hundred and seventy-eight, entitled "An Act in relation to the Insolvent Laws of Maine."

Be it enacted, &c., as follows:

Section twenty-nine of chapter seventy-four of the public laws of eighteen hundred and seventy-eight are hereby amended by striking out the following words from the first part of said section, viz.: "Upon the application, in writing, of one or more creditors, representing one-fourth part of the amount of debts proved," so that said section, as amended, shall read as follows:

"SECT. 29. The judge shall require the assignee to give a bond for the faithful performance of his duties, in such sum as he shall direct, and with such sureties as he shall approve."

[Approved March 9, 1883.]

Chapter 181.

AN ACT amendatory of chapter seventy-eight of the Revised Statutes, relating to courts and travel of County Commissioners of Cumberland County.

Be it enacted, &c., as follows:

SECT. 1. Section six of chapter seventy-eight of the revised statutes is hereby amended by inserting after the word "Cumberland," in the seventh line, the words "terms of record," and by adding after the word "June," in the eighth line, the words "and regular sessions on the first Tuesday of each month;" so that the seventh and eighth lines of said section six, as amended, shall read as follows:

"In the county of Cumberland, terms of record, on the first Tuesday of January and June; and regular sessions on the first Tuesday of each month."

SECT. 2. Section nineteen of chapter seventy-eight aforesaid is hereby amended by inserting after the word "clerk," in the eighth line, the words "except in Cumberland county," so that said section, as amended, shall read as follows:

"SECT. 19. Each shall keep an accurate account of his time and travel, specifying the kind of service performed each day or part of a day, and the places from and to which he traveled each day, and he shall not be allowed for services not so specified. His account shall be audited and examined by the county attorney and clerk, to the truth of which he shall be sworn before one of them; and they shall certify the amount allowed, and no further sum shall be paid. The clerk, except in Cumberland county, shall cause a copy of such account to be published in the newspaper printed in the county, if any, and return such printed copy to the secretary of state by the first day of January in each year." [Approved March 9, 1883.]

Chapter 182.

AN ACT to amend section nine of chapter five of the Revised Statutes, relating to lands reserved for public uses.

Be it enacted, &c., as follows:

SECT. 1. That section nine of chapter five of the revised statutes be amended by striking out the words "or organized into plantations," in the sixth line of said section, so that said section shall read as follows:

"SECT. 9. In every township there shall be reserved one thousand acres of land, and at the same rate in all tracts less than a township, for the exclusive benefit of such town or tract as the legislature directs to average in quality and situation and value as to timber, with the other lands therein. In townships or tracts sold and not incorporated, the lands reserved for public uses may be selected and located by the land agent and the proprietors by a written agreement describing them by metes and bounds, signed by them and recorded in the land office. The plan or outline of the lands so selected shall be entered on the plan of the township or tract in the land office, which shall be a sufficient location thereof."

SECT. 2. This act shall take effect when approved. [Approved March 9, 1883.]

Chapter 183.

AN ACT for the prevention of cruelty.

Be it enacted, &c., as follows:

SECT. 1. Every person who cruelly over-drives, over-loads, over-works, torments, tortures, maims, wounds, deprives of necessary sustenance, cruelly beats, mutilates or kills any horse or other animal, or causes or procures the same to be done, or having the charge or custody of any such animal, as owner or otherwise, unnecessarily fails to provide such animal with proper food, drink and shelter, or protection from the weather; every person, owning or having the charge or custody of any animal, who shall knowingly and wilfully authorize or permit the same to be subjected to or suffer any unnecessary torture or cruelty; and every owner, driver, possessor or person having the custody of an old, maimed, disabled or diseased horse or other animal, who cruelly works the same when unfit for labor, or cruelly abandons the same; and every person who shall carry or cause to be carried, in or upon any vehicle or otherwise, any animal in an unnecessarily cruel or inhuman manner, shall, for every such offense, be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding two hundred dollars, or by both such imprisonment and fine.

SECT. 2. Any person who shall keep or use any live pigeon, fowl or other bird for the purpose of a target, or to be shot at either for amusement or as a test of skill in marksmanship, and any person who shall shoot at any bird as aforesaid, or be present as a party, umpire or judge at any such shooting of any pigeon, fowl or bird, and any person who shall rent any building, shed, room, yard, field or premises, or shall knowingly suffer, or permit the use of any building, shed, room, yard, field or premises, for the purpose of shooting any pigeon, fowl or bird as aforesaid, shall be punished by imprisonment in the county jail not exceeding thirty days, or by fine not exceeding fifty dollars, or by both such imprisonment and fine. Nothing in this act shall be construed as prohibiting the shooting of wild game in its wild state.

SECT. 3. Any person who shall keep or use, or in any way be connected with, or interested in the management, or shall receive money for the admission of any person to any place kept or used for the purpose of fighting or baiting any dog, cock or other creature, and every person who shall aid or assist therein, or who shall permit or suffer any place to

be so kept or used, shall be punished, by imprisonment in the county jail not exceeding two months, or by fine not exceeding fifty dollars, or by both such imprisonment and fine.

SECT. 4. Whoever owns, possesses, keeps, or trains any bird or animal with the intent that such bird or animal shall be engaged in an exhibition of fighting, shall, upon conviction thereof, be punished by imprisonment in the county jail not exceeding thirty days, or by fine not exceeding fifty dollars, or by both such imprisonment and fine.

SECT. 5. Any sheriff, deputy sheriff, constable, police officer, officer of any society for the prevention of cruelty to animals, or any other person authorized to make arrests, may enter any building or enclosure where he has reason to believe that any bird or creature is kept for training to be engaged in fighting; and any person resisting or interfering with such officer shall, upon conviction thereof, be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding one hundred dollars, or by both such imprisonment and fine.

Nothing in this section shall be construed as allowing any officer to enter a dwelling-house without a warrant.

SECT. 6. All railroad companies within the limits of this state shall give all cars containing cattle, sheep, swine or other animals, a continuous passage in preference to any other freight; and all cars, when loaded with cattle, sheep, swine or other animals, at any station, shall have precedence over any other freight.

A greater number of animals shall not be loaded into any car than can stand comfortably therein. Animals of one kind only shall be loaded in the same apartment. Young animals shall not be loaded in the same apartment with older and larger animals, except in case of animals with their own sucklings, which shall, in all cases be transported in the same apartment and separate from other animals. Calves shall have free access to their dams, and shall not be muzzled. During the months of December, January, February and March, cars used for the transportation of animals shall be sufficiently boarded up on the sides and ends as to afford proper protection to such animals in case of storms or severe cold weather.

SECT. 7. Animals coming into the state on the same or connecting roads or other transportation lines, which have been loaded ten hours or more, shall be unloaded, comfortably yarded, and in cold, inclement weather, comfortably sheltered, and shall be furnished with a sufficient quantity of proper food and good water within ten hours thereafter, provided they shall so long remain in the state, and shall remain so yarded or sheltered, fed and watered a reasonable time. And all animals in transit within this state shall be so unloaded, yarded, or sheltered, fed and watered every twenty hours, unless delayed by accident or other unavoidable circumstances. Animals arriving at their destination within the limits of this state, or for embarkation on steamers between the hours of three o'clock in the forenoon and six o'clock in the afternoon, shall be so unloaded, yarded or sheltered, fed and watered within six hours thereafter and before embarkation. And animals arriving between the hours of six o'clock in the afternoon and three o'clock in the forenoon, shall be so unloaded, yarded or sheltered, fed and watered before nine o'clock in the forenoon following, and before embarkation, if remaining in the state.

The railroad company or transportation line having animals in charge within this state at the expiration of the limit of time specified in this act for unloading, feeding and watering, shall be liable for the penalties herein specified for such neglect.

SECT. 8. Any railroad company or other transportation line violating any of the provisions of sections six and seven of this act shall, upon conviction thereof, forfeit and pay a penalty of not less than fifty nor more than five hundred dollars for each and every such offense. The provisions of sections six and seven of this act do not apply to animals being transported in cars or other conveyances where they can and do have proper food, water, space and opportunity to rest.

SECT. 9. Any railroad company or other transportation line may hold a lien on all animals in transit for payment of all penalties paid in consequence of the direction or orders of the owner or other person having such animals in charge, and for all extra expenses or damages incurred in the care and protection of animals according to the provisions of this act, and shall not be liable for any detention of such animals for the purposes herein named.

SECT. 10. Any sheriff, deputy sheriff, police officer, constable, officer of any society for the prevention of cruelty to animals, or any person authorized to make arrests, may take possession of any animals detained in violation of the provisions of this act, and may unload the same, comfortably yard or shelter, feed, water and care for them, and may hold a lien on said animals for a reasonable sum for such care, and shall not be liable for any damages or detention of such animals.

SECT. 11. In all cases where a lien is given under the provisions of this act, the persons or corporations having such lien, may sell such animal or animals at public auction, in the town or city where such animal, or animals, was found or is detained, after giving the party claiming or owning the same three days' notice in writing; or in case such party cannot be found, then by publishing notice of the time and place of sale three successive days in any daily, or once in any weekly newspaper printed in

the county where such animal, or animals, was found or detained, and from the proceeds of such sale, may deduct all costs, charges and expenses, and a reasonable compensation for trouble in the matter, and hold the balance, if any, for and pay over the same, on demand, to the party or parties owning the said animal, or animals, or to the legal representatives of said party or parties.

SECT. 12. Any officer or agent of any society for the prevention of cruelty to animals may lawfully destroy or cause to be destroyed forthwith, any animal found abandoned and not properly cared for, appearing in the judgment of two reputable persons called by him to view the same in his presence to be diseased or injured past recovery for any useful purpose.

SECT. 13. Any officer or agent of any society for the prevention of cruelty to animals may take possession of any old, maimed, disabled, diseased or injured horse or other animal not properly cared for, and may have the same valued by two reputable persons called by him to view such horse or animal, whereupon he may destroy or cause to be destroyed such horse or animal; and the price so fixed upon shall be the measure of the value of such animal. If any horse or other animal is attached to any vehicle or other property when taken possession of as provided in this act, such vehicle or property shall be properly stored and cared for at the expense of the owner. If the owner of such horse or animal does not appear within twenty-four hours after verbal or written notice is given to him to claim and properly care for the same, and pay all reasonable charges, such horse or animal shall be considered as abandoned.

SECT. 14. Any officer or agent of any society for the prevention of cruelty to animals may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in his presence, and any person who shall interfere with or obstruct any such officer or agent in the discharge of his duty shall be guilty of a misdemeanor.

SECT. 15. Any person may take charge of any animal whose owner has cruelly abandoned it, or is cruelly failing to properly take care and provide for it, and may furnish the same with proper shelter, nourishment and care at the owner's expense, and shall have a lien on such animal for the same.

SECT. 16. It shall be the duty of all sheriffs, deputy sheriffs, police officers and constables to prosecute all violations of the provisions of this act which shall come to their notice or knowledge, and all fines collected for such violation shall be paid over to the treasurer of the city or town where the offense for which the fine is imposed was committed, and in case a society for the prevention of cruelty to animals should be formed in such city or town, then such fines shall incur and be paid over to such society in aid of the benevolent objects for which it shall have been formed; otherwise to any such society in the county, if any, where such offense was committed.

SECT. 17. Upon application from the mayor and aldermen of any city, the selectmen of any town, or the president and three directors of any society for the prevention of cruelty to animals, the governor and council shall issue a badge and commission to any officer or agent of any society for the prevention of cruelty to animals in this state to arrest any person charged with violating any of the provisions of this act, same as any sheriff, deputy sheriff or constable can now do.

SECT. 18. The municipal and police courts and trial justices in this state shall have concurrent jurisdiction of all offenses described in this act.

SECT. 19. In this act, and in every law of this state passed relating to or affecting animals, the masculine shall include the feminine, the singular shall include the plural, the word animal shall be held to include every living creature, the words torment, torture or cruelty shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted, and the words owner or person shall be held to include corporations as well as individuals.

SECT. 20. Sections twenty-eight to thirty-five inclusive of chapter one hundred and twenty-four of the public laws of eighteen hundred and seventy-one, chapter thirty-six of the public laws of eighteen hundred and seventy-five amendatory thereto, and all laws or parts of laws inconsistent with this act are hereby repealed. [Approved March 9, 1883.]

Chapter 184.

AN ACT to amend chapter one hundred and twenty of the Public Laws of eighteen hundred and seventy-six, relating to the formation of railroad corporations.

Be it enacted, &c., as follows:

Any railroad corporation which has been or may hereafter be formed and organized under the provisions of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six, with a narrow gauge, may change its gauge to the standard gauge of four feet eight and one-half inches, subject to the approval of the railroad commissioners.

[Approved Mar. 10, 1883.]

Chapter 185.

AN ACT for the protection of Moose, Caribou and Deer.

Be it enacted, &c., as follows:

SECT. 1. No person shall kill, destroy or have in possession from the first day of October to the first day of January, in each year, more than one moose, two caribou, or three deer, under a penalty of one hundred dollars for every moose, and forty dollars for every caribou or deer killed, destroyed, or in possession, in excess of said number; and, in case of

conviction, all such moose, caribou or deer, or the carcasses or parts thereof, shall be decreed by the court forfeited to the use of the party prosecuting. Any person having in possession more than the aforesaid number of moose, caribou or deer, or the carcasses or parts thereof, shall be deemed to have killed or destroyed them in violation of this act.

SECT. 2. Any person owning or having in possession dogs, for the purpose of hunting moose, caribou or deer, or that are used for such hunting, shall be liable to a penalty of not less than twenty, nor more than one hundred dollars.

SECT. 3. The penalties prescribed in this act may be recovered in the manner provided by section twenty-five of chapter fifty, of the public laws of eighteen hundred and seventy-eight.

[Approved March 10, 1883.]

Chapter 186.

AN ACT relating to Meridian Lines.

Be it enacted, &c., as follows:

Section twelve of chapter forty-three of the revised statutes of eighteen hundred and seventy-one, as amended by chapter twenty-five of the public laws of the year eighteen hundred and eighty-one, is hereby further amended by striking out the word "shall" before the word "erect" in the second line of section twelve, in said chapter twenty-five, of the year eighteen hundred and eighty-one, and inserting instead thereof the words, "may, if they see fit," so that said section, as amended, shall read as follows:

"SECT. 12. The county commissioners, at the expense of their county, may, if they see fit, erect and forever maintain, in their several counties, at such place or places as the public convenience requires, a true meridian line, to be perpetuated by stone pillars, with brass or copper points firmly fixed on the tops thereof, indicating the true range of such meridian, and shall protect the same and provide a book of records to be kept by the clerk of the courts, or by a person appointed by them nearer to such structure, and accessible to all persons wishing to refer thereto. [Approved March 10, 1883.]

Chapter 187.

AN ACT to amend item fifth of section twenty-four of chapter eleven of the Revised Statutes, relating to the powers and obligations of school districts, as amended by chapter twenty-four of the Public Laws of eighteen hundred and eighty-one.

Be it enacted, &c., as follows:

Item fifth of section twenty-four of chapter eleven of the revised statutes, as amended by chapter twenty-four of the public laws of eighteen hundred and eighty-one, is hereby amended by adding to said item the following words, "but in towns or cities that have abolished the district system, the school committee or supervisor shall determine the time of the commencement and durations of the schools in said towns or cities," so that said item, as amended, shall read as follows:

"Fifth. To instruct the superintending school committee or supervisor at what time the schools shall commence and the schools shall commence and continue as voted by the district, unless, in the opinion of the superintending school committee or supervisor, it would be detrimental to the best interests of the district on account of any contagious disease, or other good reason; but in towns or cities that have abolished the district system, the school committee, or supervisor shall determine the time of the commencement, and duration of the schools in said towns or cities." [Approved March 10, 1883.]

Chapter 188.

AN ACT to amend sections one and three of chapter seven of the Public Laws of eighteen hundred and seventy-five, relating to pauper settlements of inmates of the Soldiers' Home at Togus.

Be it enacted, &c., as follows:

SECT. 1. Section one of said chapter is hereby amended so as to read as follows:

"SECT. 1. All persons who now are or may hereafter become inmates of the National Home for disabled volunteer soldiers, at Togus, in the county of Kennebec, or subject to the rules and regulations thereof, or shall receive rations therefrom, shall have their pauper settlements in the respective towns in which they had a legal settlement when their connection with said National Home commenced, so long as such connection shall continue therewith."

SECT. 2. Section three of said chapter is hereby amended so as to read as follows:

"SECT. 3. If any town shall furnish relief to any such person, or his family, who shall become a pauper after his connection with said National Home shall cease, having no legal settlement in this state, the state shall reimburse such town for the relief furnished, to such an amount as the governor and council shall adjudge to have been necessarily expended therefor." [Approved March 10, 1883.]

Chapter 189.

AN ACT to amend chapter eighty-seven of the Revised Statutes, in relation to actions by or against executors and administrators.

Be it enacted, &c., as follows:

SECT. 1. Chapter eighty-seven of the revised statutes is hereby amended as follows: By inserting at the end of section eighteen, the following, to wit:

"SECT. 19. If the supreme judicial court, upon a bill in equity filed by a creditor whose claim has not been prosecuted within the time limited by the preceding sections, is of opinion that justice and equity require it, and that such creditor is not chargeable with culpable neglect in not prosecuting his claim within the time so limited, it may give him judgment for the amount of his claim against the estate of the deceased person; but such judgment shall

not affect any payment or distribution made before the filing of such bill.

SECT. 2. By striking out the figures nineteen, twenty, twenty-one and twenty-two, after the word section, and inserting in place thereof the figures twenty, twenty-one, twenty-two and twenty-three.

[Approved March 10, 1883.]

Chapter 190.

AN ACT to amend section six of chapter one hundred and thirty-four of the Revised Statutes, relating to the swearing of witnesses.

Be it enacted, &c., as follows:

That section six of chapter one hundred and thirty-four of the revised statutes is hereby amended by inserting in the third line thereof, between the words "thereof" and "shall," the following words: "sitting the cases in which they testified," so that said section as amended, shall read as follows:

SECT. 6. The attorney general, county attorney, or foreman of the grand jury shall swear or affirm, in the presence of the jury, all witnesses who are to testify before them, and a list thereof, stating the cases in which they testified, shall be returned into court by the foreman before the jury is discharged, and shall be filed and entered on record by the clerk.

[Approved March 10, 1883.]

Chapter 191.

AN ACT to amend section seven of chapter one hundred and twenty of the Revised Statutes, relating to larceny and receiving stolen goods.

Be it enacted, &c., as follows:

Section seven of chapter one hundred and twenty of the revised statutes, is hereby amended, so that said section, as amended, shall read as follows:

SECT. 7. If an officer, agent, clerk or servant of a person, partnership, or corporation, not an apprentice, nor less than sixteen years of age, embezzles, or fraudulently converts to his own use, or takes and secretes, with intent to do so, without the consent of his employer or master, any property of another in his possession, or under his care, by virtue of his employment, or if a public officer, collector of taxes, or an agent, clerk or servant of a public officer or tax collector, embezzles or fraudulently converts to his own use, or loans, or permits any person to have or use for his own benefit, without the authority of law, any money in his possession, or under his control, by virtue of his office or employment by such officers, he shall be deemed guilty of larceny and be punished accordingly, and whoever knowingly receives from a public officer, collector of taxes, or his clerk, servant or agent, with intent to convert the same to his own use, without authority of law, any money in the possession or under the control of such officer, by virtue of his office, shall be guilty of larceny and be punished accordingly. But the foregoing provisions in relation to public officers, collector of taxes, their clerks, servants or agents, shall not apply to deposits by such officer in any bank, nor to any advances made toward the salary of such officer, nor to any person in the employ of the state, or to whom the state is indebted, if the sums advanced do not exceed the sum due him.

[Approved March 10, 1883.]

Chapter 192.

AN ACT to repeal chapter one hundred and ninety of the Public Laws of eighteen hundred and seventy-seven, entitled "An Act to amend section six of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six."

Be it enacted, &c., as follows:

Chapter one hundred and ninety of the public laws of eighteen hundred and seventy-seven, entitled "An Act to amend section six of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six," to authorize the formation of railroad corporations, is hereby repealed.

[Approved March 10, 1883.]

Chapter 193.

AN ACT to provide for the granting of Conditional Pardons.

Be it enacted, &c., as follows:

SECT. 1. In any case in which the governor is authorized by the constitution to grant a pardon, he may, by and with the advice of the council, and upon the petition of the person convicted, grant it upon such conditions, with such restrictions and under such limitations as he deems proper, and he may issue his warrant to all proper officers to carry such pardon into effect; which warrant shall be obeyed and executed instead of the sentence originally awarded.

SECT. 2. When a convict is pardoned on conditions to be observed and performed by him, and such conditions are violated by him, the warden of the state prison, or keeper of the jail, where the convict was confined, shall forthwith cause him to be arrested and detained until the case can be examined by the governor and council; and the officer making the arrest shall forthwith give notice thereof, in writing, to the governor and council.

SECT. 3. The governor and council shall, upon receiving such notice, examine the case of such convict, and if it appears by his own admission, or by evidence, that he has violated the conditions of his pardon, the governor, with the advice of the council, shall order the convict to be remanded and confined for the unexpired term of the sentence. In computing the period of his confinement, the time between the conditional pardon and the subsequent arrest shall not be taken to be part of the term of his sentence. If it appears to the governor and council that he has not broken the conditions of his conditional pardon, he shall be discharged.

SECT. 4. When a convict is pardoned, or his punishment is commuted, the officer to whom the warrant for that purpose is issued, shall, as soon as may

be after executing the same, make return thereof, under his hand, with his doings thereon, to the office of the secretary of state; and he shall also file in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant and return, a brief abstract whereof the clerk shall submit to the record of the conviction and sentence.

[Approved March 10, 1883.]

Chapter 194.

AN ACT relating to support of persons having no pauper settlement in the state, and removing from unincorporated places into towns.

Be it enacted, &c., as follows:

SECT. 1. When persons residing in any unincorporated place in the state, and having no pauper settlement in the state, remove from such unincorporated place to any town in which such persons have never resided before such removal, and there need relief, and the same is furnished to them by such town, the state shall reimburse the town for such relief so furnished, in the same manner and under the same restrictions as provided in section twenty-two of chapter twenty-four of the revised statutes, and acts amendatory of and additional to said section, in relation to supplies furnished to persons having no settlement in the state, found in places not incorporated.

SECT. 2. This act shall take effect when approved.

[Approved March 10, 1883.]

Chapter 195.

AN ACT to repeal section eight of chapter forty-eight of the Revised Statutes, relating to manufacturing, mining and quarrying corporations.

Be it enacted, &c., as follows:

SECT. 1. Section eight of chapter forty-eight of the revised statutes, relating to manufacturing, mining and quarrying corporations, is hereby repealed.

SECT. 2. This act shall take effect when approved.

[Approved March 10, 1883.]

Chapter 196.

AN ACT to provide for the addition of one member to the board of Trustees of the State College of Agriculture and the Mechanic Arts, and to make such member from the graduates of said college.

Be it enacted, &c., as follows:

SECT. 1. That one additional member shall be added to the present board of trustees of the State College of Agriculture and the Mechanic Arts, who shall be a graduate of said college, and not less than twenty-five years of age, and a resident of this state, and shall hold his office for a term of three years, so that said board of trustees shall hereafter consist of nine members, including the secretary of the Maine board of agriculture.

SECT. 2. That the governor, with the advice and consent of the council, shall appoint such member of said board of trustees to fill such vacancy upon nomination of the alumni association of said college, made at any regular meeting of said association, held for that purpose, and made known to the governor and council by the secretary of said association, under seal.

SECT. 3. Said alumni association shall make such appointment, and the secretary shall make the appointment known to the governor and council within six months after any vacancy may occur in such position, or after the approval of this bill by the governor, and in case such appointment shall not be made by said association within said six months, or said appointment shall not be made known to the governor and council within said six months, as hereinbefore provided, then the governor and council shall appoint some person who is a graduate of said college, subject to the provisions of section one, to fill said vacancy.

[Approved March 10, 1883.]

Chapter 197.

AN ACT in addition to chapter fourteen, Revised Statutes, relating to contagious diseases in cattle.

Be it enacted, &c., as follows:

SECT. 1. The commissioners shall receive reasonable compensation for services rendered in the discharge of their duties to be audited and allowed by the governor and council.

SECT. 2. This act shall take effect when approved.

[Approved March 10, 1883.]

Chapter 198.

AN ACT to authorize a lien on preserved corn or other grain or fruit.

Be it enacted, &c., as follows:

SECT. 1. Whoever furnishes corn or other grain or fruit, for canning or preservation otherwise, shall have a lien on such preserved article, and all with which it may have been mingled, for its value, when delivered, including the cans and other vessels containing the same, and the cases, for thirty days after the same has been delivered, and until it has been shipped on board a vessel or car, and may be enforced by attachment within that time.

SECT. 2. The provisions of section thirty-six of chapter ninety-one of the revised statutes, shall apply to this act.

[Approved March 10, 1883.]

Chapter 199.

AN ACT to amend section one of chapter one hundred and fourteen of the Revised Statutes, relating to duties payable by public officers.

Be it enacted, &c., as follows:

SECT. 1. Section one of chapter one hundred and fourteen of the revised statutes is amended by striking out the word "or" between the words "justice and notary," and inserting the words "coroner or inspector of fish" between the words "public" and "shall," so that the said section, as amended, shall read as follows:

SECT. 1. No person appointed to the office of justice of the peace, justice of the peace and quorum, trial justice, notary public, coroner, or inspector

or of fish, shall enter upon the discharge of his official duties until he has paid five dollars to the treasurer of state, or of the county for which he is appointed.

SECT. 2. Section three of chapter one hundred and fourteen of the revised statutes is hereby repealed.

[Approved March 10, 1883.]

Chapter 200.

AN ACT to amend section fifty-three of chapter one hundred and fourteen of the Revised Statutes relating to taxes on lands in places not incorporated.

Be it enacted, &c., as follows:

The roads which county commissioners are to inspect, and for the repair of which they are to make estimates and assessments, as provided in section fifty-three of chapter one hundred and fourteen of the revised statutes, and all acts additional to said section, shall embrace, in addition to county roads, such other roads in the unincorporated townships and tracts of land therein named, as were originally located as town roads.

[Approved March 10, 1883.]

Chapter 201.

AN ACT requiring County Commissioners to make and complete ledger indexes in the several registries of deeds.

Be it enacted, &c., as follows:

SECT. 1. The county commissioners in the several counties are hereby directed to make all new and additional volumes of index heretofore necessary in the registries of deeds, after the form known as ledger index, so that the same surname shall be recorded together in each volume of index, and they are hereby directed to change all volumes of index not already so changed now in the several registries of deeds, to said form, within one year after the approval of this act; provided, however, that the county commissioners of the county of Lincoln shall not be obliged to change such indexes for any volumes of records completed before the first day of January, in the year one thousand eight hundred and sixty.

SECT. 2. This act shall take effect when approved.

[Approved March 10, 1883.]

Chapter 202.

AN ACT to amend chapter two hundred and eighty-one of the Public Laws of eighteen hundred and seventy-seven, relating to Savings banks.

Be it enacted, &c., as follows:

SECT. 1. Section two of chapter two hundred and eighty-one of the public laws of eighteen hundred and seventy-seven is hereby amended by inserting after the word "necessary," in the third line, the words "a vice president and," and by striking out the word "and," in the third line, and inserting the word "also," so that said section, when amended, shall read as follows:

SECT. 2. The officers of every such corporation shall consist of a president, treasurer, and when in the opinion of the trustees necessary, a vice president and an assistant treasurer; also not less than five trustees, not more than three of whom shall be directors in any national bank, nor more than two of whom shall be directors in the same national bank, who shall elect from their number, or otherwise, such other officers as they may see fit.

SECT. 3. Section five of said chapter is hereby amended by inserting after the word "necessary," in the fourth line, the words "a vice president and," so that said section, when amended, shall read as follows:

SECT. 4. The trustees, immediately after their election and qualification, shall elect one of their number for president who shall also be president of the corporation. They shall also elect a treasurer, and when deemed necessary, a vice president and an assistant treasurer, to hold their offices during the pleasure of the trustees. The treasurer, and in his absence the assistant treasurer, if there is one, shall be ex-officio clerk of the corporation and of the trustees. The treasurer and assistant treasurer shall give bonds to the corporation for the faithful discharge of the duties of their offices, in such sums as the trustees may decide to be necessary for the safety of the funds, and such bonds hereafter given shall continue and be valid from year to year, so long as they may be elected and hold said offices, subject to renewal whenever ordered by the trustees or bank examiner. Said bonds shall be received upon the books of the institution, and the bank examiner shall, annually, examine the same and inquire into and certify to the sufficiency thereof, and when he shall deem any such bond insufficient, he shall order a new bond to be given within a time by him specified. They shall receive a compensation to be fixed by the trustees. The trustees may receive such compensation for their services in making examinations and returns required by their by-laws and the laws of the state, as may be fixed by the corporation at any legal meeting thereof.

SECT. 5. Said chapter is hereby amended by striking out the whole of section ten and inserting the following, so that, when amended, said section shall read as follows:

SECT. 10. Savings banks and institutions for savings are restricted to and hereafter may invest their deposits in the public funds of any of the New England states, including the bonds of the counties, cities and towns of the same; in the public funds of the United States and District of Columbia; in the stock of any bank or banking association incorporated under authority of this state, or of the United States; in the municipal bonds of cities of ten thousand inhabitants, or more, of the states of New York, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois and Missouri, and in the public funds of

each of the above named states, and in the bonds of counties in the same states, having twenty thousand and population, when not issued in aid of railroads; provided, that no investment shall be made in the bonds of the several cities and counties of the states above named, with the exception of the city of St. Louis, in the state of Missouri, where the municipal indebtedness of such city or county exceeds five per cent of its valuation; in the first mortgage bonds of any completed railroads of the states above named, including New Jersey, Kansas and Nebraska, and in the first mortgage bonds of the Central Pacific, Union Pacific and Northern Pacific, and in the railroad bonds of this state; in the stock of any dividend paying railroad in New England; in the stocks of any railroad company in this state which is not encumbered by mortgage; in the stock and bonds of any other corporations incorporated under the authority of this state which earn and are paying regular dividends of not less than five per cent per annum; and may invest by loan on first mortgages of real estate situated in this state and state of New Hampshire not exceeding sixty per cent of its value; and any loan to any county, city or town thereof; and on notes with a pledge as collateral of any of the aforesaid securities, including savings bank deposit books of any savings bank in the state, and the stock of any of said railroad companies, not over seventy-five per cent of the market value of such stock; and may loan to corporations, having real estate and doing business in this state; and may also loan on a pledge or mortgage of such other personal property as, in the judgment of the trustees, it will be safe for the interest of the bank to accept. Savings bank may also be allowed to invest in the car-trust securities issued by any railroad which is not in default on the interest on its first mortgage bonds, and any car trust securities guaranteed by a car-trust or railroad equipment company; provided, that the car-trust company or equipment company has paid two dividends on its capital stock. All investments shall be charged and entered on the books of the bank at their cost to the bank, or at par when a premium is paid.

SECT. 4. Section twelve of said chapter is hereby amended by striking out the words "seventy-five per cent" in the sixth line, and inserting "fifty per cent," so that, when amended, said section shall read as follows:

SECT. 12. No savings bank or institution for savings shall hold, by way of investment, or as security for loans, or both more than one-fifth of the capital stock of any corporation, nor more than ten per cent of its deposits, and not to exceed sixty thousand dollars, in the capital stock of any corporation, nor have more than fifty per cent of its deposits in mortgages and real estate. The provisions of sections ten, eleven and twelve shall not apply to real estate or other assets acquired by the foreclosure of a mortgage thereon, or upon judgment for debts, or in settlements to secure debts.

SECT. 13. Section fifteen of said chapter is hereby amended by striking out the words "one per cent," in the fourteenth line, and inserting "three fourths of one per cent," so that said section when amended, shall read as follows:

SECT. 15. Every savings bank and institution for savings, incorporated under the laws of this state, shall, semi-annually, on the last Saturday of April and October in each year, make a return, signed and sworn to by its treasurer, of the average amount of its deposits for the six months next preceding each of said days, deducting an amount equal to the amount of United States bonds, and the value of real estate owned by said bank or institution. Said return shall be made to the treasurer of the state on or before the second Monday of May and November of each year, and for wilfully making a false return, he shall be liable to pay a fine of not less than five hundred nor more than five thousand dollars. The treasurer shall pay to the treasurer of the state one-fourth of its deposits of three-fourths of one per cent per annum on the amount of its deposits as in said returns. One-half of said tax to be assessed on the average amount on deposit for the six months ending and including the last Saturday in April, and the other half on the average on deposit for the six months ending and including the last Saturday in October. One-half of the sum so paid to be appropriated for the use of schools, as provided in chapter eleven, section ninety-one of the revised statutes, and one-half to the use of the state. The taxes imposed by this section shall be paid, semi-annually, within ten days after the first Monday in June and December.

SECT. 6. Section nineteen of said chapter is hereby amended by striking out the words "assets" in the twelfth and fourteenth lines and inserting the words "deposits," and by inserting after the word "profits" in the fourteenth line, the words "not otherwise divided," so that said section when amended shall read as follows:

SECT. 19. The trustees shall, after passing to the reserve fund one-fourth of one per cent of the average amount of deposits for the six months previous to declaring a dividend, not subject to be divided, declare dividends, not to exceed two and one-half per cent, semi-annually, except as hereinafter provided, at such times as may be required by their by-laws, among depositors of three months standing at least, before dividend day. The corporation may by its by-laws include deposits of less standing. The reserve fund shall be kept constantly on hand to secure against losses and contingencies, until the said reserved fund amounts to five per cent of its deposits. All losses shall be passed to the debit of said account. And when said reserve fund amounts to five per cent of the average amount of deposits for

the six months previous to declaring a dividend of any bank, all net profits not otherwise divided, thereafter made by said banks, shall be divided every three years ratably among the depositors of one, two and three full years' standing, as extra dividends. No dividends or interest shall be declared, credited or paid, except by the authority of a vote of the board of trustees, duly entered upon their records, whereon shall be recorded the year and day upon such vote.

Trustees of savings banks and savings institutions are prohibited from making any semi-annual dividend of a rate per cent which will make the aggregate amount of said dividend greater than the actual earnings of the bank or institution on hand.

SECT. 7. Section twenty-four of said chapter is hereby amended by inserting after the word "purpose," in the fourth line, the following words: and shall also, at least once in each year, cause to be entered on a book for the purpose, the net sum of each individual deposit at a fixed date, and ascertain the aggregate of all such deposits, and whether it agrees with the other books of said bank; so that, when amended, said section shall read as follows:

SECT. 24. The treasurer of every savings bank, shall, on Saturday of each and every week, make and declare a trial balance, which shall be recorded in a book kept for that purpose; and shall also, at least once in each year, cause to be entered on a book for the purpose, the net sum of each individual deposit at a fixed date, and ascertain the aggregate of all such deposits, and whether it agrees with the other books of said bank; and said books shall be open at all times for the inspection of the trustees, corporators and examiner of banks.

SECT. 8. Section thirty-three of said chapter is hereby amended by striking out the word "once," in the fifth line, and inserting the word "twice," so that said section, when amended, shall read as follows:

SECT. 33. Savings institutions and trust and loan associations shall be under the charge of the bank examiner for the purposes of examination. He shall visit every savings bank, institution for savings, and trust and loan association, incorporated by authority of this state, twice in every year, and as much oftener as he may deem expedient. At such visits he shall have free access to the vaults, books and papers, and shall thoroughly inspect and examine all the affairs of each of said corporations, and make such inquiries as may be necessary to ascertain its condition, ability to fulfill all its engagements, and whether it has complied with the provisions of law. He shall preserve in a permanent form, a full record of his proceedings, including a statement of the condition of each of said corporations, a copy of which statement shall be published by such corporation immediately after the examination of the same, in a newspaper in the place where such corporation is established, or if there be no newspaper in such place, then in a newspaper published in the nearest place thereto.

SECT. 9. Section thirty-six of said chapter, as amended by chapter one hundred and ninety, laws of eighteen hundred and eighty, is hereby amended, so that said section, when amended, shall read as follows:

SECT. 36. Whenever any savings bank, institution for savings, or trust and loan association, shall be insolvent by reason of loss on, or by depreciation in the value of, any of its assets, without the fault of the trustees thereof, the supreme judicial court, in term time, or any justice thereof, in vacation, shall, on petition, in writing, of a majority of the trustees, and the bank examiner, setting forth such facts, appoint a time for the examination of the affairs of such corporation, and cause notice thereof to be given to all parties interested, in such manner as may be prescribed; and, if upon an examination of its assets and liabilities, and from other evidence he shall be satisfied of the facts set forth in said petition, and that the corporation has not exceeded its powers, nor failed to comply with any of the rules, restrictions and conditions provided by law, he may, if he shall deem it for the interest of the depositors and the public, by proper decree, reduce the deposit account of each depositor, so as to divide such loss pro rata among the depositors, thereby rendering the corporation solvent, so that its further proceedings would not be hazardous to the public, or those having or placing funds in its custody, and the depositors shall not be authorized to draw from such corporation a larger sum than thus fixed by the court, except as hereinafter provided; provided, however, that it shall be the duty of the treasurer of such corporation, to keep an accurate account of all sums received for such assets of the corporation held by it at the time of filing such petition; and if a larger sum shall be realized therefrom than the value estimated as aforesaid by the court, he shall, at such time or times as the court may prescribe, render to the court a true account thereof, and thereupon the court, after due notice thereof to all parties interested, shall declare a pro rata dividend of such excess among the depositors at the time of filing the petition. Such pro rata dividend may be declared by the court, whenever the court shall deem it for the interest of the depositors and the public, whether all, or only a portion, of such assets has been reduced to money; and any such dividend may at any time, in the discretion of the court, be declared to be a final one. No deposit shall be paid or received by such corporation after the filing of the petition till the decree of the court reducing the deposits as herein provided. If the petition is denied, it shall be the duty of the bank examiner to proceed for the winding up of the affairs of the corporation as provided in section one hundred and twenty-one.

SECT. 10. All acts and parts of acts inconsistent herewith are hereby repealed.

SECT. 11. This act shall take effect when approved. [Approved March 12, 1883.]

Chapter 293.

AN ACT to amend section two of chapter fifty-nine of the Revised Statutes, relating to the intermarriage of white persons with Negroes, Mulattoes and Indians.

Be it enacted, &c., as follows:

Section two of chapter fifty-nine, of the revised statutes, is hereby amended by striking out in the first and second lines the words following: "No white person shall intermarry with a negro, Indian, or mulatto, and," so that said section, as amended, shall read: "No insane person or idiot shall be capable of contracting marriage." [Ap. March 12, 1883.]

Chapter 304.

AN ACT concerning offences against the public health.

Be it enacted, &c., as follows:

SECT. 1. Section one, chapter one hundred and twenty-eight of the revised statutes, is hereby amended by striking out all after the word "dollars" in the seventh line, and adding the following: "And whoever kills or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in his possession with intent to sell for food, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction not exceeding thirty days, or by a fine not exceeding fifty dollars, or by both such imprisonment and fine, and all such meat exposed for sale, or kept with intent to make sale thereof, may be seized and destroyed, by any board of health, or health officer, or by any sheriff, or deputy sheriff, constable or police officer," so that said section will read as follows:

SECT. 1. Whoever sells any diseased, corrupted or unwholesome provision, for food or drink, knowing it to be such, without informing the buyer, or fraudulently adulterates for the purpose of sale, any substance intended for food, or any wine, spirits, or other liquors intended for drink, so as to render them injurious to health, shall be punished by imprisonment not more than five years, or by a fine not exceeding one thousand dollars; and whoever kills, or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in possession, with intent to sell for food, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction, not exceeding thirty days, or by a fine not exceeding fifty dollars, or by both such imprisonment and fine, and all such meat exposed for sale, or kept with intent to make sale thereof, may be seized and destroyed by any board of health, or health officer, or any sheriff, or deputy sheriff, constable or police officer.

SECT. 2. When complaint is made on oath to any court or justice, authorized to issue warrants in criminal cases, such court or justice, when satisfied that there is reasonable cause for such belief, may issue a search warrant to search for the meat of calves killed when less than four weeks old, such meat being kept or concealed with intent to sell or offer the same for sale for purposes of food.

[Approved March 12, 1883.]

Chapter 305.

AN ACT to restore the death penalty for murder in the first degree.

Be it enacted, &c., as follows:

SECT. 1. When murder is committed with express malice aforethought, or in perpetrating or attempting to perpetrate a crime punishable by death, imprisonment for life, or for an unlimited term of years, it shall be deemed murder of the first degree, and punished with death.

SECT. 2. When any person is convicted of a crime punishable with death and sentenced therefor, the time for the execution of such sentence shall be fixed by the court, which time shall be not less than twelve months or more than fifteen months from the day on which such sentence is passed, and the convict shall, at the same time be sentenced to confinement in the state prison until such punishment is inflicted.

SECT. 3. The governor shall seasonably issue his warrant under the great seal of the state, directed to the sheriff of the county wherein the state prison is situated, or one of his deputies commanding him to carry such sentence into execution at the time fixed by the court, unless the governor, with advice of council, shall pardon or reprieve the convict, or commute his sentence.

SECT. 4. Chapter one hundred and fourteen of the public acts of eighteen hundred and seventy-six, sections eight and nine of chapter one hundred and thirty-five of the revised statutes, chapter ninety of the public laws of eighteen hundred and seventy-nine, as amended by chapter one hundred and seventy-eight of the public laws of eighteen hundred and eighty, and chapter two hundred and seven of the public laws of eighteen hundred and eighty, and all other acts and parts of acts, inconsistent with this act, are repealed.

SECT. 5. Sections seven, ten and eleven of chapter one hundred and thirty-five of the revised statutes are revived.

SECT. 6. Section twelve of chapter one hundred and thirty-four of the revised statutes is amended by inserting after the word "ten," in line eleven, the words "nor the state more than five," also by substituting for the word "he," in line twelve, the words "such person," so that said section, as amended, shall read as follows:

SECT. 12. When a person indicted for an offense

punishable with death is put upon his trial, the clerk, under the direction of the court, shall place the names of all the traverse jurors summoned and in attendance, in a box, upon separate tickets, and the names, after being mixed, shall be drawn from the box by the clerk, one at a time, for the purpose of constituting a jury of trial. All peremptory challenges, except as herein provided, and all other challenges and objections to the jurors drawn shall be made and determined and the jurors sworn or set aside before another name is drawn, and so on until the panel is completed. The person indicted shall not challenge, peremptorily, more than twenty, nor the state more than five of the jurors while the panel is being formed; but such person may, before the trial commences, challenge, peremptorily, two of the jurors from the panel. The supreme judicial court may, by general rules, prescribe the mode of exercising the latter right of challenge, and said section, as amended, is revised.

SECT. 7. Chapter two hundred and thirty-seven of the public laws of eighteen hundred and seventy-four is amended by substituting the word "county" for "state," in line eleven, so that said section, as amended, shall read as follows: "The clerk shall, without charge, furnish to any person indicted for a crime punishable by imprisonment in the state prison, a copy of the indictment. If he is indicted for a crime punishable by death or imprisonment in the state prison for life, he shall furnish a copy of the indictment to a list of the jurors returned, and process to obtain witnesses, to be summoned and paid at the expense of the state; but in all cases where the punishment of the crime charged in the indictment may be simply for a term of years, witnesses shall be summoned and paid at the expense of the state only at the discretion of the court. Competent counsel shall be assigned by the court in capital cases, when it appears that the accused has not sufficient means to employ counsel; and reasonable compensation, not exceeding one hundred and fifty dollars in all any one trial, shall be allowed by the court to be paid out of the county treasury."

SECT. 8. If a motion for new trial in a capital case is denied by the justice before whom the same is heard, the respondent may appeal from said decision to the next law term for such district; and the concurrence of but three justices shall be necessary to grant such motion.

SECT. 9. If a person convicted under section one is at the time when motion for sentence is made, found, to the satisfaction of the court, to be insane, the court may cause such person to be removed to the insane hospital for such term and under such limitations as it may direct.

SECT. 10. If it appears to the satisfaction of the governor and council that a convict under sentence of death has become insane, the execution of said sentence may be rescripted by the governor, with the advice of council, from time to time for stated periods, until they are satisfied that the convict is no longer insane.

SECT. 11. The governor, with the advice of council, may rescript, from time to time, the execution of a sentence of death, for stated periods, so long as he may deem it necessary, to afford him an opportunity of exercising his right of pardon and of investigating and considering the facts of the case for that purpose. [Approved March 13, 1883.]

Chapter 206.

AN ACT to fix the salary of the County Attorney for Knox County.

Be it enacted, &c., as follows:

SECT. 1. From and after the first day of January, in the year of our Lord one thousand eight hundred and eighty-three, the salary of the county attorney for the county of Knox, shall be five hundred dollars a year.

SECT. 2. This act shall take effect when approved. [Approved March 13, 1883.]

Chapter 207.

AN ACT to amend section four of chapter sixty-one of the Revised Statutes, relating to the liabilities of married women.

Be it enacted, &c., as follows:

Section four of chapter sixty-one of the revised statutes is hereby amended by inserting after the word "purpose," in the fourth line thereof, the words "neither is he liable for her torts committed after April twenty-six, eighteen hundred and eighty-three, in which he takes no part"; also by striking out the word "both," in the same line, and inserting instead thereof the words "all such"; also by inserting after the word "debts," in the seventh line thereof, the words "and for damages for such torts," so that the same section, as amended, shall be as follows:

"SECT. 4. A husband married since April twenty-six, eighteen hundred and fifty-two, is not liable for the debts of his wife contracted before marriage, nor for those contracted afterward in her own name, for any lawful purpose; neither is he liable for her torts committed after April twenty-six, eighteen hundred and eighty-three, in which he takes no part; but she is liable in all such cases, a suit may be maintained against her, or against her and her husband together; and her property may be attached and taken on execution for such debts and for damages for such torts, as if she were sole; but she cannot be arrested." [Approved March 13, 1883.]

Chapter 208.

AN ACT to amend section fourteen of chapter sixty-five of the Revised Statutes, relating to distribution of estates.

Be it enacted, &c., as follows:

Section fourteen of chapter sixty-five of the revised statutes, is amended by adding after the word "devisee," in the first line, the words, "or any one

claiming under such heir or devisee," so that said section, as amended, shall read as follows:

"SECT. 14. If the share of any such heir or devisee, or any one claiming under such heir or devisee, is under attachment, the judge, on like application from the plaintiff in the suit, or the attaching officer, shall require the money, not exceeding the amount of the attachment, to be paid to the officer, who shall be answerable therefor in his official capacity, subject to the rights of the parties, as if originally attached." [Approved March 13, 1883.]

Chapter 209.

AN ACT to amend chapter ninety-two of the public laws of eighteen hundred and eighty-one, relating to fees of inspectors of lime and lime casks, and their deputies.

Be it enacted, &c., as follows:

SECT. 1. Chapter ninety-two of the public laws of eighteen hundred and eighty-one, is amended by striking out the words "one eighth" where it appears in said act, and inserting the words "one half," in lieu thereof, so that said chapter, as amended, will read as follows:

"SECT. 1. The fees of inspectors of lime and lime casks, and their deputies, shall be one-half of one mill for each cask inspected and branded, and each inspector shall receive from his deputy the one-half of one mill for each cask inspected and branded by the deputy."

SECT. 2. This act shall take effect when approved. [Approved March 13, 1883.]

Chapter 210.

AN ACT to establish the line between the counties of Somerset and Piscataquis.

Be it enacted, &c., as follows:

The division line between the counties of Somerset and Piscataquis, is hereby established as follows:—beginning at the southwest corner of the town of Wellington, thence running northerly, following the west line of the town of Wellington, Kingsbury, Blanchard and Shirley, and townships number three in the fifth range, and number two in the sixth range, to the Kennebec river; thence up and by the southerly bank of said river to Moosehead lake; thence northerly by the westerly margin of said lake to the easterly line of township W; thence northerly along the easterly line of township W and Sebagoock township, to the northeast corner of said Sebagoock township; thence westerly along its northerly line till it strikes the division line between said fifteenth and sixteenth ranges of townships west from the east line of the state; thence north on the division line between said fifteenth and sixteenth ranges to the southerly line of the county of Aroostook. [Approved March 13, 1883.]

Chapter 211.

AN ACT to amend section one of chapter sixty-four of the public laws of eighteen hundred and eighty-one, relating to the compensation of jurors for board of prisoners.

Be it enacted, &c., as follows:

Section one of chapter sixty-four of the public laws of eighteen hundred and eighty-one, is amended by adding the following words to said section: "And in jails containing workshops, the jurors shall receive for every prisoner laboring in said shops, twenty-five cents per week, in addition to the sum above provided." [Approved March 13, 1883.]

Chapter 212.

AN ACT to amend chapter sixty of the Revised Statutes, relating to Divorce.

Be it enacted, &c., as follows:

SECT. 1. Section two of chapter sixty of the revised statutes is hereby amended by striking out the words "when the judge deems it reasonable and proper, conducive to domestic harmony and consistent with the peace and morality of society," and inserting instead thereof the words "for causes of adultery, impotency, extreme cruelty, after desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her." Said section is further amended by striking out the word "If" in the fifth line and inserting the word "provided" instead thereof, and by striking out the words "and when such divorce is granted, may marry again," in the last two lines, so that said section, as amended, shall read as follows, viz:—

"SECT. 2. A divorce from the bonds of matrimony may be decreed by the supreme judicial court in the county where either party resides at the commencement of proceedings, for causes of adultery, impotency, extreme cruelty, after desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her; provided the parties were married in this state, or cohabited here after marriage; or, if the libellant resided here, when the cause of divorce accrued or had resided here in good faith one year prior to the commencement of proceedings. Either party may be a witness."

SECT. 2. Section three, twelve and thirteen of said chapter are hereby repealed.

SECT. 3. All decrees of divorce shall, in the first instance, be decrees nisi, to become absolute after the expiration of six months from the entry thereof, on the application of either party to the clerk of the court and on such application, the clerk shall enter

a final decree, unless the court has for sufficient cause, on application of any party interested, otherwise ordered.

SECT. 4. After a divorce from the bonds of matrimony, the party on whose petition the divorce was granted shall not marry again within two years after the entry of the final decree, except on permission granted by the court. The party against whom the divorce was granted, shall not marry again within two years from the entry of said decree, and not afterwards except on permission granted by the court.

SECT. 5. Within thirty days after the adjournment of any court having jurisdiction of divorce, the clerk thereof shall make returns to the secretary of state of the applications and decrees in the form, in cases of divorce, with the names of the parties and the causes for which the divorces were granted. And the secretary of state shall record the same in a book kept for that purpose.

SECT. 6. The provisions of this bill shall not apply to any libel now pending.

[Approved March 13, 1883.]

Chapter 213.

AN ACT providing for the taxation of Telephone Companies.

Be it enacted, &c., as follows:

SECT. 1. Every telephone corporation, company or person doing business within the limits of this state, shall annually pay into the state treasury, as at two and one-half per cent on the value of any telephone line owned by said corporation, company or person within the limits of this state, including all poles, wires, insulators, transmitters, telephones, batteries, instruments, telephonic apparatus, office furniture, and any circumstances or conditions which affect the value of the property.

SECT. 2. Every such corporation, company or person shall annually, on or before the nineteenth day of April, return to the secretary of state, under oath of its superintendent, the amount and value of all the property enumerated in section one, owned by it within the limits aforesaid, on the first day of April annually, and the governor and council shall determine said values and assess said tax thereon on or before the first day of May annually.

The secretary of state shall thereupon certify said assessment to the state treasurer, who shall forthwith notify the several parties assessed thereof. Said tax shall be paid into the treasury on or before the first day of September annually, and shall be, in part, of all state or municipal taxation on any property or shares of said corporations, companies or person.

SECT. 3. Any corporation, company or person neglecting to make the returns required by this act, shall forfeit twenty-five dollars per day, for every day's neglect so to do, to be recovered by an action of debt in the name of the state; and the governor and council shall proceed to make said assessments on such valuation as they think just with such evidence as they may be able to obtain, and such assessment shall be final. And if any corporation, company or person fails to pay the tax so due by this act, the state treasurer may forthwith commence an action of debt, in the name of the state, for the recovery of the same with interest.

SECT. 4. This act shall take effect when approved. [Approved March 14, 1883.]

Chapter 214.

AN ACT amendatory of and in addition to chapter seventy-four of the public laws of eighteen hundred and seventy-eight, entitled, "An Act in relation to the insolvent laws of Maine," and generally additional thereto and amendatory thereof.

Be it enacted, &c., as follows:

SECT. 1. In all cases of proceedings for composition, where a debt arises on a bill of exchange or promissory note, if the debtor shall be ignorant or the holder of any such bill of exchange or promissory note, he shall be required to state the amount of such bill or note, the date on which it falls due, the name of the acceptor, and of the person to whom it is payable, and any other particulars within his knowledge respecting the same, and the insertion of such particulars shall be deemed sufficient description by the debtor in respect to such debt. If any creditor named in the debtor's schedule of debts cannot be found or shall refuse to accept the percentage due him under proceedings for composition, it shall be lawful for the debtor to deposit in court the amount of such percentage in money, and such deposit so made shall be taken and deemed to be a security for said debt. If any such creditor, at the expiration of six months after said deposit, fails to prove his claim and accept said percentage, the court may order the same to be paid to said insolvent, or a letter notice to said insolvent, make such distribution of said deposit as justice may require. No discharge shall be granted to a debtor under proceedings for composition, unless the judge is satisfied that the debtor has either paid or secured the percentages named in his composition agreement, to all the creditors whose names appear in the schedule annexed to his affidavit.

SECT. 2. No dividend shall be paid or declared without the approval of the court to be entered of record. The register shall give notice, of not less than five days, to all creditors named in the schedule of debts, of all dividends declared, and shall receive the same fees for other notices.

SECT. 3. When it appears to the satisfaction of the judge of any court of insolvency that the debtor has withheld and not delivered to the messenger or assignee any part of his property or estate which is not exempt under the provisions of said act, the judge of said court may, upon application and after hearing, order delivery of such property or es-

tate, and enforce the order or decree as provided in section four of said act.

SECT. 3. The claimant to property sold under the provisions of section thirty-three of said act, shall bring his suit against the assignee, to be served on him within sixty days after the date of the sale, to recover compensation for the value of such property, or as provided thereafter from maintaining any action at law, in equity for the recovery thereof; provided, that the further time of six months be allowed to any claimant, in proceedings now pending to bring his action as herein provided against the assignee.

SECT. 4. The judges of the courts of insolvency shall prepare, and file to the office of the secretary of state annually, on the first Monday of January, a report of all the cases of insolvency within their respective counties, showing the names of the insolvents, the date of the filing of the petition, the date of the discharge, the amount and average rate of dividends declared, inclusive of composition cases, and the amount of fees received or earned by them and the register of said court.

SECT. 5. All notes and parts of notes inconsistent with this act are hereby repealed.

SECT. 6. This act shall take effect when approved. [Approved March 14, 1883.]

Chapter 215.

AN ACT concerning trade-marks and their registration.

Be it enacted, &c., as follows:

SECT. 1. Any person entitled to the exclusive use of any lawful trade-mark, or who intends to adopt and use any lawful trade-mark, not previously adopted or used by another, may file for record in the office of the secretary of this state, a certificate, setting forth his name, residence and place of business; the class of merchandise and the particular description of goods comprised in such class to which such trade-mark has been, or is to be appropriated; a description of such trade-mark, and of the goods to which it is to be applied and used; the date when such trade-mark was first used or adopted; that he has a right to the use of it, and that no other person, firm or corporation has the right to such use, either in the identical form, or having and bearing resemblance thereto as might be calculated to deceive. A description of such trade-mark shall be incorporated in or annexed to said certificate, and a duplicate shall be filed therewith to be posted or bound into the record book, if practicable. Such certificate shall be signed by the person in whose behalf it is filed, or by his agent, and the person so signing it, shall make oath or affirm that all the statements therein contained are true, to the best of his knowledge and belief.

SECT. 2. Any person who shall wilfully swear or affirm falsely in any such affidavit or affidavit, as to any matter therein required to be set forth, shall be guilty of perjury, and shall pay treble damages to every party injured thereby.

SECT. 3. If the secretary of state has reason to apprehend, on the filing of any such certificate, that the statements therein contained, or any of them, are untrue, he may decline to record the same, unless the party filing it shall obtain a writ of mandamus to compel such recording. Such writ may be granted, but without costs to the secretary, by any proper court, on due proof that all the statements in such certificate be true, but no final hearing on the application therefor, shall be had until such notice as the said court may order, has been advertised in one or more newspapers published in the county where the party filing said certificate resides; and any person who desires, may appear and intervene as parties defendant, and oppose the granting of such writ, and shall be liable to judgment for any costs occasioned by such intervention.

SECT. 4. Every party having the lawful right to make and file such certificate and affidavit, upon the recording of the same in said office, shall become entitled to the exclusive use of the trade-mark therein described, for so long as he or his assigns shall continue to be engaged in the manufacture or sale of the merchandise or description of goods to which it is appropriated; and such right shall be assignable in writing; but all assignments thereof, shall be good only against the assignor and his personal representatives, until lodged for record in said office.

SECT. 5. The secretary of state shall retain all such certificates on file, and cause the same and all assignments of trade-mark rights to be recorded at length in his office, and shall be entitled to a fee of three dollars for each certificate, and one dollar for each assignment so filed and recorded, copies of the record of any such certificate, attested by him under the seal of the state, shall be prima facie evidence of the right of the party filing such certificate to the exclusive use of the trade-mark therein described for the periods limited to section four.

SECT. 6. Any person who shall reproduce, copy, counterfeit or imitate any such recorded trade-mark, knowing the same to have been recorded, and affix such reproduction, copy, counterfeit or imitation, to goods resembling or designed to resemble those to which trade-mark is so appropriated, shall pay to the owner of such trade-mark, double damages, and also such sum, not exceeding five hundred dollars, as the court before which the action is brought, may order to be added to the damages found by the verdict or judgment.

SECT. 7. This act shall not abridge any rights to any existing trade-marks, whether the same shall be heretofore recorded or not, nor any remedies or rights of action otherwise or heretofore existing in favor of owners of trade-marks.

SECT. 8. Every person who fraudulently and with intent to deceive, affixes any trade-mark re-

corded under this act, or any such imitation thereof as is calculated to deceive, to any goods, receptacle or package similar in descriptive properties to those to which such trade-mark is appropriated; or who, fraudulently and with intent to deceive, places in any receptacle or package to which is lawfully affixed a recorded trade-mark, goods other than those which said trade-mark is designed and appropriated to protect, or who fraudulently and with intent to deceive, deals in or keeps for sale any goods with a trade-mark fraudulently affixed, as above described in this section; or any goods contained in any package or receptacle having a lawful trade-mark, but not being such goods as said trade-mark was designed and appropriated to protect, shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, or both.

SECT. 9. The word person in this act includes any person or persons, firm or corporation. [Approved March 14, 1883.]

Chapter 216.

AN ACT to prohibit the sale of toy pistols.

Be it enacted, &c., as follows:

Whoever has in his possession a toy pistol for the explosion of percussion caps or blank cartridges, with intent to sell the same, or sell, or offer to sell or give away the same, shall be fined, not less than five nor more than one hundred dollars; and such person shall be liable for all damages resulting from such selling or giving away, to be recovered in an action on the case. [Approved March 14, 1883.]

Chapter 217.

AN ACT to complete the records in Cumberland County Registry of Deeds.

Be it enacted, &c., as follows:

SECT. 1. The commissioners of Cumberland county may procure copies, duly attested by the register of deeds for York county, of so much of the records in the York county registry of deeds as were made prior to the incorporation of Cumberland county, and file said copies in the Cumberland county registry of deeds, in the same manner and form as the current records thereof, preserving the number and page of the original volume. Said commissioners shall also prepare an index to said copies, in the form known as the ledger index, to be filed therewith.

SECT. 2. All the expenses of making said copies, filing and indexing the same, shall be paid from the treasury of Cumberland county, upon bills audited by said commissioners.

SECT. 3. Copies of the copies made, attested and audited as aforesaid, duly attested by the register of deeds for Cumberland county, shall be of the same force and effect as the copies of the original records, attested by the register of deeds for York county. [Approved March 14, 1883.]

Chapter 218.

AN ACT to amend section forty of chapter ninety-one of the Revised Statutes, relative to liens on goods in possession.

Be it enacted, &c., as follows:

Section forty of chapter ninety-one of the revised statutes is hereby amended by adding thereto, by inserting after the word "judicial," the words "or superior" so that said section, as amended, shall read as follows:

SECT. 40. The person claiming the lien may file in the supreme judicial or superior court, in the county where he resides, or in the office of the clerk thereof, a petition briefly setting forth the nature and amount of his claim, a description of the article possessed, and the name and residence of its owners, if known to him, and a prayer for process to enforce his lien. [Approved March 14, 1883.]

Chapter 219.

AN ACT relating to Registers of Probate.

Be it enacted, &c., as follows:

Section twenty of chapter sixty-three of the revised statutes is hereby amended by adding after the word "therefrom" in the seventh line, the words, "and any matter, petition, process or proceeding drawn, commenced or conducted by the register, or his agent or clerk, in the probate court, of which he is register, in violation of this act, shall be void, and such register shall be liable in damages to the party injured thereby." [Approved March 14, 1883.]

Chapter 220.

AN ACT to amend section thirty-eight of chapter sixty-three of the Revised Statutes, relating to Judge of Probate.

Be it enacted, &c., as follows:

Section thirty-eight of chapter sixty-three of the revised statutes is hereby amended by adding after the word "county" in the sixth line, the words, "and any process or proceeding commenced by him in the probate court for his county, in violation of this act, shall be void, and he shall be liable to the party injured thereby in damages." [Approved March 14, 1883.]

Chapter 221.

AN ACT to restore the salary of the superintendent of public buildings.

Be it enacted, &c., as follows:

SECT. 1. That portion of section three of chapter one hundred and twenty-five of the public laws of eighteen hundred and seventy-nine, which relates to the salary of the superintendent of public buildings, shall be amended by striking out the words "six hundred," and inserting the words "one thousand"; so that that portion of the section shall read: "superintendent of public buildings, one thousand dollars per annum."

SECT. 2. This act shall take effect when approved. [Approved March 14, 1883.]

Chapter 222.

AN ACT relative to banks.

Be it enacted, &c., as follows:

When thereto required by the examiner, the cashier of each bank shall make and transmit to him, within the time directed in such requisition, a return of the state of such bank, stating the several particulars mentioned in the following form, exhibiting in distinct columns the amounts due from the bank, and the resources of the bank, viz:

State of the bank or	on the first Saturday of	at two o'clock P.M.
Due from the bank,	Resources of the bank,	
Capital stock,	Gold, silver and other	
Bills in circulation,	coined metal in its	
Net profits on hand,	banking house,	
Balances due to other	Bills of other banks	
banks,	incorporated in this	
Cash deposited, includ-	State,	
ing all sums whatso-	Bills of other banks	
ever due from the	without the State,	
bank, not bearing in-	Balances due from	
terest, its bills in cir-	other banks,	
culation, profits and	Amount of all debts	
balances due to other	due, including notes,	
banks excepted,	bills of exchange,	
Cash deposited bearing	and all stocks and	
interest,	funded debts of ev-	
	ery description, ex-	
	cept balances due	
	from other banks,	

Total amount due from the bank,	Total amount of the re-
sources of the bank,	
Rate of last dividend,	
Amount of last dividend,	
When declared,	
Amount of reserved profits at the time of	
declaring the last dividend,	
Amounts of debts due and not paid, and	
considered doubtful,	
Bills in circulation under five dollars,	

[Approved February 14, 1883.]

Chapter 223.

AN ACT to amend chapter eighty-eight, Public Laws of eighteen hundred and seventy-nine, relative to referees.

Be it enacted, &c., as follows:

Chapter eighty-eight of the public laws of the year eighteen hundred and seventy-nine is hereby amended by adding after the words "supreme judicial," in the second line, the words "or superior."

[Approved March 14, 1883.]

Chapter 224.

AN ACT amendatory of and additional to chapter eight of the Revised Statutes, relating to the duties of county treasurers.

Be it enacted, &c., as follows:

SECT. 1. Section ten of chapter eight of the revised statutes is hereby amended by adding thereto the words, "This section shall not apply to the county of Cumberland; so that said section, as amended, shall read as follows:

SECT. 10. He shall publish, annually, in the month of January, in some newspaper in the county, if any, to be designated by the county commissioners, otherwise in the state paper, a full and fair statement of the financial concerns of his county, with the items of receipts and expenditures. This section shall not apply to the county of Cumberland."

SECT. 2. Chapter eight of the revised statutes is hereby further amended by adding thereto the following section:

SECT. 10. The treasurer of the county of Cumberland shall, at the end of each year, in connection with the commissioners of said county, make up a statement of its financial condition, showing, in detail, all moneys received into and paid out of the treasury of said county, and such other facts and statistics as may be necessary to exhibit the true state of the finances of the county; and shall publish, in pamphlet form, a reasonable number of copies for distribution among the citizens of the county. [Approved March 14, 1883.]

Chapter 225.

AN ACT to regulate practice in mandamus.

Be it enacted, &c., as follows:

SECT. 1. A petition for a writ of mandamus may be presented to a justice of the supreme judicial court in any county, in term time or vacation, and such justice may, upon due notice to all parties, hear and determine the same, or may reserve questions of law arising thereon, upon exceptions or otherwise, for the determination of the full court, which may hear and determine the same at any time, in any county, as justice shall seem to it to require. If, on such hearing, it is ordered that the writ issue, it may be issued from the clerk's office in any county, and be made returnable as the court shall direct.

SECT. 2. When a writ of mandamus issues, the person required to make return thereto shall make his return to the first writ, and the person suing the writ may, by an answer, traverse any material facts contained in such return, or may demur thereto. If the party suing the writ maintains the issue on his part, his damages shall be assessed and a judgment rendered, that he recover the same with costs, and that a peremptory writ of mandamus be granted; otherwise, the party making the return shall recover his costs. No action shall be maintained for a false return to a writ of mandamus.

SECT. 3. The court may make rules, on a petition for the writ, or upon and after the issuing of the first writ, calling upon any person having, or claiming, a right or interest in the subject matter, other than the party to whom the writ is prayed to be, or has been directed, to show cause against the issuing of the

writ. If such person appears, he shall be heard in such manner as the court may direct, and, in proper cases, may be allowed to frame and sign the return to the first writ, and to stand as the real party in the proceedings.

SECT. 4. If a third person is admitted, as is provided in the preceding section, the proceedings shall not abate or be discontinued by the death, resignation or removal from office by lapse of time or otherwise of the person to whom the writ was directed, and any peremptory writ shall be directed to his successor. [Approved March 14, 1883.]

Chapter 226.

AN ACT authorizing the Warden of the State Prison to convey certain real estate.

Be it enacted, &c., as follows:
The warden of the state prison, under the direction of the governor and council, is hereby authorized to sell and convey any real estate to which he has, or may acquire, title in behalf of the state in the adjustment of debts due the state prison.
[Approved March 14, 1883.]

Chapter 227.

AN ACT to amend section nine of chapter fifty-nine of the Revised Statutes, relating to marriage.

Be it enacted, &c., as follows:
Section nine of chapter fifty-nine of the revised statutes is amended by inserting after the word "chapter," in the second line, the words, "or the provisions of chapter sixty," so that said section, as amended, shall read as follows:

SECT. 9. When residents of this state, with intent to evade the provisions of sections one, two and three of this chapter, or the provisions of chapter sixty, and to return and reside here, go into another state or country, and there have their marriage solemnized, and afterward return and reside here, such marriage shall be void in this state.
[Approved March 14, 1883.]

Chapter 228.

AN ACT to amend section fifty-one of chapter sixty-four of the Revised Statutes, relating to the appointment of special commissioners to investigate claims against estates of deceased persons not insolvent.

Be it enacted, &c., as follows:
Section fifty-one of chapter sixty-four of the revised statutes is hereby amended by adding thereto the following words: "Such claimant shall have the same right to apply to the judge of probate, and the same proceedings shall be had on such application, after notice to the other party, as are provided for the executor or administrator in this section, if the claimant has demanded payment of his claim, and it is not complied with for thirty days, or is refused."
[Approved March 14, 1883.]

Chapter 229.

AN ACT to amend section ten, chapter one hundred and fifty, of the Public Laws of eighteen hundred and seventy-nine, relative to the salary of State Superintendent of Common Schools.

Be it enacted, &c., as follows:
Section ten of chapter one hundred and fifty of the public laws of eighteen hundred and seventy-nine is hereby amended by striking out the words "one thousand" in the second line, and inserting the words "seven hundred"; also, by striking out the words "five hundred" in the fourth line, and inserting the words "seven hundred," so that said section, as amended, shall read as follows, viz.: The annual salary of the State Superintendent of the Common Schools shall be seven hundred dollars, instead of the sum now fixed by law, together with clerk hire, not to exceed the sum of seven hundred dollars.
[Approved March 14, 1883.]

Chapter 230.

AN ACT relating to corporations.

Be it enacted, &c., as follows:
That chapter forty-six of the revised statutes is hereby amended by adding thereto the following:
SECT. 38. The provisions of this chapter shall apply to all corporations organized by special acts of the legislature, or under the laws of this State, except so far as they are inconsistent with the provisions of such special acts, or of the revised statutes concerning particular classes of corporations.
[Approved March 14, 1883.]

Chapter 231.

AN ACT to amend an act, entitled "An Act relating to the support of persons having no pauper settlement in the State, and removing from unincorporated places into towns," approved March ten, eighteen hundred and eighty-three.

Be it enacted, &c., as follows:
SECT. 1. Section one of the act approved March 10, in the year of our Lord one thousand eight hundred and eighty-three, entitled "An Act relating to the support of persons having no pauper settlement in the State, and removing from unincorporated places into towns," is hereby amended by inserting the words "as to the amount reimbursed," after the word "restrictions," and before the word "as," in the seventh line of said section, so that said section, as amended, shall read as follows:

SECT. 1. When persons residing in any unincorporated place in the State, and having no pauper settlement in the State, remove from such unincorporated place to any town in which such persons have never resided before such removal, and there need relief, and the same is furnished to them by such town, the state shall reimburse the town for such relief so furnished, in the same manner and under the same restrictions as to the amount reimbursed, as provided in section twenty-two of chapter twenty-four of the Revised statutes, and acts amendatory of and additional to said section, in relation to

supplies furnished to persons having no settlement in the State, found in places not incorporated.

SECT. 2. This act shall take effect when approved.
[Approved March 14, 1883.]

Chapter 232.

AN ACT to amend section one of chapter sixty-five of the Public Laws of eighteen hundred and seventy-six, relating to Telegraph and Telephone Companies.

Be it enacted, &c., as follows:
SECT. 1. Section one of chapter sixty-five of the public laws of eighteen hundred and seventy-six is hereby amended by striking out from the second line thereof the words "within this state."

SECT. 2. Section one of chapter sixty-five of the public laws of eighteen hundred and seventy-six is hereby amended by inserting therein, in the seventh line of said section, between the word "telegraph," and the word "companies," the word "telephone."
[Approved March 14, 1883.]

Chapter 233.

AN ACT to amend section two of chapter ninety-three of the Revised Statutes, relating to conditional deeds of the public lands.

Be it enacted, &c., as follows:
Section two of chapter ninety-three of the revised statutes is hereby amended by inserting, after the word "legislature," in the first line, the words, "or governor and council," also by striking out the word "directors," in said first line, and inserting instead thereof the word "direct," so that said section, as amended, shall read as follows:

SECT. 2. When the legislature, or governor and council direct, the attorney general shall file an information in the supreme judicial court, in the county where the lands lie, stating the grant and conditions, branches and claims of the state.
[Approved March 15, 1883.]

Chapter 234.

AN ACT to amend section twelve of chapter one hundred and forty of the Revised Statutes, relating to the accounts of the warden of the state prison.

Be it enacted, &c., as follows:
SECT. 1. Section twelve of chapter one hundred and forty of the revised statutes is amended as follows: Strike out the word "annually" after the word "December" in the last sentence of said section, and insert the words "March, June, September and before the word 'December,' wherever it occurs, in said section, also annex to said section the sentence, "Vouchers for all expenditures shall be taken in duplicate, one copy of each to be filed at the prison and the other with the governor and council," so that said section, as amended, shall read as follows:

SECT. 12. The warden shall not carry on, or be concerned in the business of trade and commerce during his continuance in office; he shall reside constantly within the precincts of the prison, and shall have the care, custody and charge of the prison, and of the convicts therein, in conformity to their sentences, and of the lands, buildings, machines, tools, stock, provisions, and of every other kind of property belonging to or within the precincts of the same. He shall be the treasurer of the prison, receive, pay out, and be accountable for all moneys granted for maintaining it, or derived from the manufactures or other concerns thereof; make in the books of the prison regular entries of all its pecuniary and other concerns, and on the first day of March, June, September and December of each year, he shall render to the inspectors a fair account of all the expenses and disbursements, receipts and profits of the prison, with sufficient vouchers therefor and a statement of its general affairs, for the quarter then past, including the number of convicts received and discharged during the quarter, and the number remaining; and a similar account and statement, examined and approved by the inspectors; he shall also render, under oath, on the first day of March, June, September and December, to the governor and council, and settle all his accounts with them when they require it. Vouchers for all expenditures shall be taken in duplicate, one copy of each to be filed at the prison and the other with the governor and council.

SECT. 2. This act shall take effect when approved.
[Approved March 15, 1883.]

Chapter 235.

AN ACT to amend section seven, chapter one hundred and thirty-six of the Revised Statutes, relating to trial justices and judges of municipal and police courts.

Be it enacted, &c., as follows:
Section seven, chapter one hundred and thirty-six of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following:

SECT. 7. Every trial justice or judge of a municipal or police court shall render, under oath, an account of, and pay over all fines and forfeitures by him received, upon convictions and sentences before him accruing to the county, to the treasurer of the county and when they accrue to the town, to the treasurer of the town, within six months after he receives the same; and for any neglect, he shall forfeit and pay, in each instance, double the amount, to be recovered in an action of debt, in the name of the county treasurer, when they accrue to the state or county, and in the name of the town treasurer when they accrue to the town. Every judge of a municipal or police court in any city, shall, once in each month, make and return under oath to the mayor and aldermen of said city; and every judge of a municipal or police court in any town shall, once in each month, make and return under oath, to the municipal

officers of said town, a correct account of all examinations and trials had before him, of persons accused of offences, and of all fines and forfeitures by him imposed on convicted persons or sentenced and of all fees and costs by him received, under a penalty of one hundred dollars for each neglect, to be recovered by indictment. In municipal or police courts having a recorder or clerk, it shall be the duty of such recorder or clerk, instead of the judge, to make the monthly returns and the monthly accounts aforesaid, and said recorder or clerk shall be liable to the penalty hereinaforesaid in case of neglect or neglect of same.
[Approved March 14, 1883.]

Chapter 236.

AN ACT to amend section forty-four, chapter forty-ninth of the Revised Statutes, relating to insurance.

Be it enacted, &c., as follows:
SECT. 1. Section forty-four, chapter forty-ninth, of the revised statutes, as amended by chapter sixty-three, acts of eighteen hundred and eighty-one, is hereby amended so as to read as follows:

SECT. 14. An insurance commissioner shall be appointed by the governor and council who shall hold his office three years, unless sooner removed, but shall not, at the same time, be executor or lawyer. His office shall be at the state capital, during the sessions of the legislature. The salary of the insurance commissioner shall be not more than one hundred dollars per annum, to be paid by the state treasurer, on the first day of July, April, July and October of each year.

The governor and council may allow, as a reasonable sum for postage and actual expenses incurred in enforcing the laws relating to insurance, as they deem proper. The insurance commissioner may administer oaths to the representatives of his official duties, in any part of the state, and at any time. He shall keep a correct account of all his doings, and of all fees and moneys received by him, by virtue of his office, and pay the same over to the state treasurer quarterly, and at the same time settle his accounts with the governor and council. He shall give bond to the treasurer in the sum of five thousand dollars, for the faithful discharge of his duties.

SECT. 2. Chapter sixty-four of the revised statutes, as amended and eighty-one, is hereby amended, except for the settlement of judgments already affected, so that

SECT. 2. This act shall take effect when approved.
[Approved March 14, 1883.]

Chapter 237.

AN ACT to amend the second specification of section six of chapter six of the Revised Statutes, relating to taxes.

Be it enacted, &c., as follows:
SECT. 1. The second specification of section six of chapter six of the revised statutes is hereby amended by adding thereto the following: "And corporations whose property or funds in excess of their ordinary expenses are held for the relief of the sick, the poor and the distressed, or of widows and orphans, or to bury the dead, are benevolent and charitable corporations within the meaning of this specification without regard to the sources from which their funds are derived, or to limitations in the classes of persons for whose benefit the funds are applied, except that so much of the real estate of such corporations as is not occupied by them for their own purposes, shall be taxed in the municipality in which it is situated, so that said specification, as amended, shall read as follows:

"Second. All property, which by the articles of separation is exempted from taxation, the real and personal property of all literary institutions, and the real and personal property of all benevolent, charitable and scientific institutions incorporated by this State, and corporations whose property or funds in excess of their ordinary expenses are held for the relief of the sick, the poor or the distressed, or of widows and orphans, or to bury the dead, are benevolent and charitable corporations within the meaning of this specification, without regard to the sources from which their funds are derived, or to limitations in the classes of persons for whose benefit the funds are applied, except that so much of the real estate of such corporations as is not occupied by them for their own purposes, shall be taxed in the municipality in which it is situated."

SECT. 2. This act shall take effect when approved.
[Approved March 15, 1883.]

Chapter 238.

AN ACT to regulate the importation, manufacture and sale of fertilizers.

Be it enacted, &c., as follows:
SECT. 1. Every lot or parcel of commercial fertilizer sold, offered or exposed to sale within this State, shall be accompanied by a printed label, which shall state clearly the composition of the same, as follows, to wit: In the case of all fertilizers which are sold at more than twelve dollars per ton, and which contain nitrogen, potash, or phosphoric acid, the said label shall give the percentage of nitrogen, or its equivalent in ammonia, in an available form, of potash soluble in water, and of phosphoric acid in an available form, soluble or reverted, as well as the total phosphoric acid. In the case of those fertilizers which consist of other and cheaper materials, the said label shall give a correct general statement of the composition and ingredients of the fertilizer it accompanies.

SECT. 2. Every importer of commercial fertilizers, as specified in section one, before offering the same for sale in this State, shall procure a license as an importer of the same, and shall pay into the

treasury of this State the sum of fifty dollars, annually, as a license fee and shall at the same time file with the secretary of the state board of agriculture, a paper giving the name of his principal agents, and also the name and composition of the fertilizer he manufactures or imports by him. Such license shall entitle the person to whom it is issued to sell and offer for sale only one distinct kind of fertilizer, but such person shall be entitled to sell any other kind of fertilizer upon the payment into the treasury of this state an additional license fee of fifteen dollars for each such additional kind.

SECT. 3. Any person selling, offering or exposing for sale any commercial fertilizer, without the statement required by the first section of this act or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or representing the sale of which all the provisions of section two have not been fully complied with, shall be liable to a fine of one hundred dollars for the first offense, and two hundred dollars for each subsequent offense. Suits may be brought for the recovery of fines or damages under the provisions of this act in the county where the fertilizer was offered for sale, or where it was manufactured, and all fines so recovered shall be paid into the treasury of the state by the person collecting the same. Such suits shall be brought by the secretary of the state board of agriculture in the name of the State of Maine.

SECT. 4. The secretary of the state board of agriculture shall be state inspector of fertilizers. It shall be the duty of said inspector, or some competent person by him deputed, annually to analyze one or more specimens of every kind of commercial fertilizers coming within the provisions of this act, which may be offered for sale within this state, and of the existence of which he shall be informed by the secretary of the state board of agriculture; and for this purpose he is authorized and directed to take from any package or packages of said fertilizers which may be in the possession of any dealer a sample not exceeding one pound in weight. He shall report annually to the state board of agriculture the result of his inspection and the analysis made by him, and furnish the secretary of said board such important information in regard to commercial fertilizers as he shall from time to time obtain.

SECT. 5. The fee of the state inspector of fertilizers shall be fifteen dollars for each analysis made by him, or under his direction, and traveling expenses to be paid from the treasury of the state on certificate of the state board of agriculture, provided that no larger sum shall be paid for such services each year than is paid into the treasury of the state for license fees as provided in section two.

SECT. 6. It shall be the duty of said inspector, upon ascertaining any violation of this act to forthwith inform the manufacturer and the secretary of the state board of agriculture in writing thereof; and it shall be the duty of said secretary to immediately institute proceedings against all parties violating this act.

SECT. 7. If the secretary of the state board of agriculture, or the chemist making the analysis of fertilizers under this act, shall violate, or knowingly fail to perform his duty as prescribed in section four, or shall collude with any manufacturer of, or agent or dealer in any fertilizer, to evade the provisions of this act, so as to injure any manufacturer of, or agent or dealer in any fertilizer, such secretary or chemist shall, upon conviction thereof, be sentenced to a fine of five hundred dollars, to be recovered by any court of competent jurisdiction.

SECT. 8. The license required by section two shall be issued by the secretary of state.

SECT. 9. Any act or parts of acts inconsistent with this act is hereby repealed.

SECT. 10. This act shall take effect when approved. [Approved March 15, 1883.]

Chapter 239.

AN ACT to amend chapter seventy-eight of the Public Laws of eighteen hundred and seventy-six, relating to fish weirs.

Be it enacted, &c., as follows:

SECT. 1. Section one of chapter seventy-eight of the public laws of eighteen hundred and seventy-six, is hereby amended by striking out after the word "other," in the thirteenth line, the words, "and shall determine to allow the same," so that said section, when amended, shall read as follows:

"SECT. 1. Any person intending to build or extend any wharf or fish weir in tide waters within the limits of any town or city, may make application in writing to the municipal officers thereof, stating the location, limits and boundaries, as near as may be, of such intended erection or extension, and asking license for the same. Upon receiving such application, said officers shall give at least three days' public notice thereof, and shall therein designate a day in which they shall meet on or near the premises described and examine the same. If, upon such examination and hearing of all parties interested, said officers shall decide that such erection or extension would not be an obstruction to navigation or an injury to the rights of others, they shall issue a license under their hands to the applicant authorizing him to make said erection or extension, and to maintain the same within the limits mentioned in said license."

SECT. 2. In no case shall any fish weirs be erected in tide waters below low water mark in front of the shore or flats of another without the owner's consent, under a penalty of fifty dollars: to be recovered in an action of debt before any court of competent jurisdiction, by the owners of said shore or flats.

SECT. 3. Owners of shores or flats bordering on the sea coast may extend their fish weirs, the materials of which are wholly or partly removed annually,

into tide waters below low water mark; providing, they do not obstruct navigation nor interfere with the rights of others. The provisions of section thirty-four of chapter forty of the revised statutes, and chapter one hundred and seventy-five of the public laws of eighteen hundred and eighty, shall not apply to fish weirs built on the shore of the sea coast, nor shall this section apply to the shore and tide waters of rivers. [Approved March 15, 1883.]

Chapter 240.

AN ACT to fix the length of the school week.

Be it enacted, &c., as follows:

SECT. 1. Five days shall constitute a school week; and four weeks shall constitute a school month.

SECT. 2. This act shall take effect when approved. [Approved March 15, 1883.]

Chapter 241.

AN ACT to repeal chapter seventy of the Revised Statutes, relating to assignments for the benefit of creditors.

Be it enacted, &c., as follows:

Chapter seventy of the revised statutes, as amended by chapter seventy-three and eighty-nine of the public laws of the year eighteen hundred and seventy-six, is hereby repealed. [Approved March 15, 1883.]

Chapter 242.

AN ACT relating to compensation of County Commissioners for Cumberland and Aroostook Counties.

Be it enacted, &c., as follows:

Each county commissioner for Cumberland and Aroostook counties shall receive two dollars and fifty cents a day while actually employed in the service of the county, including the time spent in traveling for which he shall have eight cents a mile for the distance actually traveled; but he shall not have more than one travel in the same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one position or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind. [Approved March 15, 1883.]

Chapter 243.

AN ACT to amend section twelve of chapter eighty-seven of the Revised Statutes, relating to actions by or against executors or administrators.

Be it enacted, &c., as follows:

SECT. 1. Section twelve of chapter eighty-seven of the revised statutes, as amended by chapter eighty-five of the public laws of eighteen hundred and seventy-two, is hereby further amended so that the same section, as amended, shall read as follows:

"SECT. 12. If an action against an executor or administrator, on a claim against the estate, shall be commenced, except as provided in sections thirteen and fifteen, without such claim being first presented in writing and payment demanded, or the claim being filed in the probate office, supported by the affidavit of the claimant, or of some other person cognizant thereof, as provided in chapter sixty-four, section sixty-two, and such notice given as the court orders thereon, at least thirty days before the action is commenced, and within two years after notice is given by him of his appointment, such action shall be continued at the cost of the plaintiff till the next term of court, and such further time and on such other terms as the court shall order, and a tender of payment or offer thereof filed in the case during the time said action is so continued, shall bar the same, and the defendant shall recover his costs; and no action shall be maintained on any such claim, unless commenced during said two years, or within six months next following, except as provided in the following sections. Executors or administrators residing out of the state at the time of giving notice of their appointment, shall appoint an agent or attorney in the state, and insert his name and address in such notice. Executors or administrators removing from the state, after giving notice of their appointment, shall appoint an agent or attorney in the state, and give public notice thereof; demand or service made on any such agent or attorney shall have the same effect in law as if made on such executor or administrator. When an executor or administrator, residing out of the state, has no agent or attorney in the state, demand or service may be made on one of his sureties, and shall have the same legal effect as if made on him."

SECT. 2. This act shall not apply to, nor effect any suits now pending. [Approved March 15, 1883.]

Chapter 244.

AN ACT relating to the jurisdiction of the Superior Court of Kennebec County.

Be it enacted, &c., as follows:

Nothing contained in an act entitled "An Act to amend chapter sixty of the Revised Statutes, relating to divorce," approved March thirteen, eighteen hundred and eighty-three, shall be construed to affect the jurisdiction of the superior court of Kennebec county, but said court shall continue to exercise jurisdiction under said act as heretofore. [Approved March 15, 1883.]

Chapter 245.

AN ACT to amend section seven and twenty-seven of chapter eighteen of the revised statutes, and to repeal chapter fifty-three of the public acts of eighteen hundred and eighty-one, relating to damages for locating, altering and discontinuing ways.

Be it enacted, &c., as follows:

SECT. 1. Section seven of chapter eighteen of the revised statutes is amended by substituting for the first sentence of said section all of the first four lines of section thirty-one of said chapter, except the last

two words of the fourth line, "but the," after the semicolon; also by adding to said section seven the remainder of the first sentence of said last named chapter, so that said section seven of chapter eighteen shall read as follows:

"SECT. 7. If any person's property is damaged by laying out, altering or discontinuing a highway or town way, the commissioners or municipal officers of towns shall estimate the amount, and in their return state the share of each separately; the damages are to be allowed to the owners of reversions, and remainders, and to tenants for life, and for years, in proportion to their interests in the estate taken; but the commissioners or officers shall not order such damages to be paid, nor shall any right thereto accrue to the claimant, until the land over which the highway or alteration is located, has been entered upon and possession taken, for the purpose of construction or use."

SECT. 2. Section twenty-seven of said chapter eighteen is also amended by adding thereto the following: "When town or private ways are finally located by municipal officers, unless the land is entered upon and possession taken for said purpose within two years after the laying out or alteration, the proceedings shall be void," so that said section shall read as follows:

"SECT. 27. Where a town, private or highway, is wholly or partly discontinued by the commissioners, a time is to be fixed for it. And when laid out by them, the way is to be regarded as discontinued, if not opened within six years from the time allowed therefor. When town or private ways are finally located by municipal officers, unless the land is entered upon and possession taken for said purpose within two years after the laying out or alteration, the proceedings shall be void." Chapter fifty-three of the public laws of eighteen hundred and eighty-one, is repealed. [Approved March 15, 1883.]

Chapter 246.

AN ACT relating to attested copies from the published volumes of the early records in York County Registry of Deeds.

Be it enacted, &c., as follows:

After the early records in the registry of deeds for York county shall have been published, and one or more volumes thereof placed in each registry of deeds in the state, as contemplated by a resolve of this legislature, a copy of any portion of either of said volumes, duly attested by the register of deeds, having the lawful custody thereof, shall be of the same force and effect as a like copy of the original record, attested by the register of deeds for York County. [Approved March 15, 1883.]

Chapter 247.

AN ACT supplementary to "An Act to restore the death penalty for murder in the first degree," approved March thirteen, eighteen hundred and eighty-three.

Be it enacted, &c., as follows:

SECT. 1. Whoever wilfully and maliciously sets fire to the dwelling-house of another, or to any building adjoining thereto, or to any building owned by himself or another, with intent to burn such dwelling-house, and it is thereby burnt, in the night time, shall be punished by imprisonment at hard labor for life. If he proves, and the jury find, that there was no person lawfully in such dwelling-house at the time, or if the offense was committed in the day time, he shall be punished by imprisonment for life, or any term of years.

SECT. 2. The punishment of the crime of treason shall be imprisonment for life.

SECT. 3. One justice of the supreme judicial court may hold a term thereof in any county, except the counties of Cumberland and Kennebec, for the trial of capital cases, and exceptions may be taken, as in other cases, to their rulings and decisions.

SECT. 4. No person shall be a juror in a capital case, who cannot conscientiously find a man guilty of an offense punishable with death.

SECT. 5. Section four of an act entitled "An Act to restore the death penalty for murder in the first degree," approved March thirteen, in the year of our Lord one thousand eight hundred and eighty-three, is hereby amended by adding thereto the words, "but they are continued in force for the trial and punishment of all offenses described therein committed before this act takes effect."

[Approved March 15, 1883.]

Chapter 248.

AN ACT supplementary to "An Act to amend chapter eighty-seven of the Revised Statutes, in relation to actions by or against executors and administrators."

Be it enacted, &c., as follows:

The act entitled "An Act to amend chapter eighty-seven of the Revised Statutes, in relation to actions by or against executors and administrators," passed at the present session, shall not affect any action now pending. [Approved March 15, 1883.]

Chapter 249.

AN ACT to amend chapter forty-four of the Revised Statutes, relating to hawkers and peddlers.

Be it enacted, &c., as follows:

Section one of chapter forty-four of the revised statutes, is amended by striking out the last two words thereof, and inserting in their place, the words, "the United States."

[Approved March 15, 1883.]

Chapter 250.

AN ACT in amendment of and additional to chapter one hundred and forty-two of the Revised Statutes, relating to the State Reform School.

Be it enacted, &c., as follows:

SECT. 1. Section eleven of chapter one hundred

and forty-two of the revised statutes is hereby amended so as to read as follows:

"SECT. 11. The trustees, under direction of the governor and council, shall establish and maintain a mechanical school, and cause the boys under their charge to be instructed in mechanical trades and in the branches of useful knowledge, adapted to their age and capacity; in agriculture and horticulture, according to their age, strength, disposition and capacity, and otherwise, as will best secure their reformation, amendment and future benefit. The trustees, in binding out the inmates, shall have scrupulous regard to the character of those to whom they are bound, that they may secure the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral and useful citizens to the state. The trustees shall establish rules and regulations for the direction of the officers, agents and servants of the school, and for the government, instruction and discipline of the inmates; they shall specify the punishments that may be inflicted upon the boys in the school, and any officer, agent or servant, who inflicts punishment not so authorized, shall be discharged and dismissed. Such rules and regulations shall be submitted to and approved by the governor and council, and shall not be altered without their consent."

"SECT. 2. Section twelve of said chapter is hereby amended by inserting in the seventh line, after the word 'employments,' the words, 'He, the superintendent, shall see that no punishment is inflicted upon the boys in violation of the rules of the trustees, and shall immediately cause to be entered in a book kept for the purpose, a particular record of all corporal punishment inflicted upon the boys, stating the offense, the punishment, and by whom inflicted; which record shall be open to public inspection, and shall be laid before the trustees at their quarterly meetings at the school, a majority of whom shall then certify upon said book whether or not such punishments are approved by them."

"SECT. 3. Said chapter is hereby further amended by adding thereto the two following sections:

"SECT. 16. The inmates of the school shall be separated into classes, regard being had to their age, their character and conduct, and the offense for which they have been committed."

The boys of each class shall be allowed each day, so far as practicable, out door exercise and be employed in some outdoor labor. Each boy shall be provided with his own clothing and be taught to care for it. Solitary confinement shall not be allowed except for grave offenses specified by the rules of the trustees, and the apartment in which it is inflicted, shall be suitable warmed, lighted, and provided with a bed and proper appliances for cleanliness. All the boys shall receive the same quality of food and in quantities to satisfy the appetite of each."

Punishment of withholding or short allowance of food shall not be inflicted."

"SECT. 17. A committee of the council, consisting of three, with whom shall be associated one woman, shall be appointed by the governor annually, who shall visit the state reform school from time to time, and examine into the treatment of the inmates, their condition and progress. They shall maintain in the school, a box for the receipt of letters, to which the inmates at all times shall have free access to deposit letters, without the knowledge or scrutiny of the officers of the school. They shall hear complaints of ill-treatment from the inmates, and shall make such suggestions to the superintendent and trustees as they think the good of the school requires, and yearly, severally report to the governor and council, concerning the school, its condition and needs." [Ap. March 15, 1883.]

Chapter 251.

AN ACT fixing a time when other acts and resolves shall take effect.

Be it enacted, &c., as follows:

"SECT. 1. Except as provided in the following section, all acts and resolves passed by the sixty-first legislature, and approved prior to the approval of this act, shall take effect on the fifteenth day of April, in the year of our Lord one thousand eight hundred and eighty-three."

"SECT. 2. This act shall not apply to acts of incorporation nor to acts and resolves which by their own terms take effect at times other than the day last named."

"SECT. 3. This act shall take effect when approved." [Approved March 15, 1883.]

RESOLVES.

RESOLVE to enable the State Superintendent of Common Schools, to hold teachers' meetings, as provided in item four of section seventy-one, chapter eleven of the Revised Statutes.

Resolved, That the sum of six hundred dollars be, and the same is hereby appropriated for the year eighteen hundred and eighty-three, and the like sum for the year eighteen hundred and eighty-four, the same to be taken from any school money belonging to the state, to enable the state superintendent of common schools to defray the expenses of holding teachers' meetings in the several counties of this state, one meeting or more to be held in each county in the state, which sums shall be expended under the direction of the state superintendent, all bills for which shall be audited by the governor and council; provided, however, that no bills shall be paid from said sums except for advertising such

meetings and paying actual traveling expenses of speakers and lecturers, not residing in the counties in which such meetings are held.

[Approved Feb. 17, 1883.]

RESOLVES providing for an amendment of the constitution, forever prohibiting the manufacture of intoxicating liquors, and prohibiting their sale except for medicinal and mechanical purposes and the arts.

Resolved, Two-thirds of both houses of the legislature concurring, that the following amendment to the constitution of the state be proposed, viz:

The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider may be permitted under such regulations as the legislature may provide. The legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified.

Resolved, That the adherents of either, selection of towns and assessors of plantations, in the state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations, in the manner prescribed by law, at the September election next ensuing after the passage and approval of these resolves, to give in their votes on the question whether the amendment to the constitution proposed in the foregoing resolve shall be made; and the question so submitted shall be:

Shall the constitution be amended so as to prohibit forever the manufacture, sale and keeping for sale of intoxicating liquors as provided by the said amendment? And the inhabitants of said cities, towns and plantations, shall vote by ballot on said question,—those in favor of the amendment expressing it by the word 'yes' upon their ballots, and those opposed to the amendment by the word 'no' upon their ballots; and the ballots shall be received, sorted, counted, declared and recorded in open ward, town and plantation meeting, and lists of the votes so received shall be made and returned to the secretary of state in the same manner as votes for governor. A list of the governor and council shall open, examine and count the same, and make return thereof to the next legislature, and if it shall appear that a majority of the votes is in favor of said amendment, the governor shall, by his proclamation, declare such amendment to be adopted, and the constitution shall be amended accordingly to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-five."

Resolved, That the secretary of state shall prepare and furnish to the several cities, towns and plantations, ballots and blank returns, in conformity to the foregoing resolves, accompanied with a copy thereof; and that the adherents of the several cities, towns and plantations, in the state, shall provide at each polling place a separate box to receive the ballots of the electors in relation to the proposed amendment. [Approved Feb. 21, 1883.]

RESOLVE to apportion one hundred and fifty-one representatives among the several counties, cities, towns, plantations and classes, in the State of Maine.

Resolved, That for the sixty-second legislature, and the succeeding legislatures, to and including that of the year one thousand eight hundred and ninety-one, the county of Androscoggin shall choose eleven representatives, to be apportioned as follows, to wit:

Lewiston, four; Auburn, two; Turner and Livermore, one; East Livermore, Leeds and Greene, one; Lisbon and Webster, one; Minot and Durham, one; Poland and Wales, one.

The county of Aroostook shall choose ten representatives, to be apportioned as follows, viz:

Linneus, number eleven range one, Unity, Orient, Weston, Bancroft, Haynesville, Oakfield, Glenwood, Reed, Barker, number three, number four range three, and all other unorganized townships in ranges two and one, one; Houlton and Hodgdon, one; Presque Isle, Washburn, Mapleton, Chapman and Westfield, one; Monticello, Bridgewater, Blaine, Littleton, New Limerick, Ludlow, letter B range two, letter C range two, letter D range two, and letter E range two, one; Fort Fairfield, Easton and Mars Hill, one; Caribou, Woodland, Perham and New Sweden, one; Saint Francis, all unincorporated places above Saint Francis, Saint John, Fort Kent, New Canada, Wallagras, Eagle Lake, Portage Lake, Sheridan, Castle Hill, Wade, Nashville, all townships west of range seven, numbers thirteen, fourteen range five, numbers fourteen, fifteen, sixteen, seventeen range six, and numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen range seven, one; Grand Isle, Van Buren, Cyr plantation, Hamlin plantation, Caswell plantation, Limestone plantation, Connor, and numbers sixteen and seventeen range three, one; Frenchville, Madawaska, numbers fifteen, sixteen, seventeen range four, numbers fifteen, sixteen and seventeen range five, one; Sherman, Benedicta, Silver Ridge, number one range five, Molunkus, Macwahoc, Island Falls, Dyer Brook, Merrill, Smyrna, Masardis, Ashtand, number eleven range six, Oxbow, numbers seven, eight, nine range five, Moro, Hersey, Crystal, numbers one, two, three, seven, eight, nine, ten, eleven range four, numbers six, seven, eight, nine, ten, range three, and number ten range six, one.

The county of Cumberland shall choose twenty representatives, to be apportioned as follows:

Portland, five; Cape Elizabeth, one; Westbrook, one; Deering, one; Brunswick, one; Gorham, one; Bridgton, one; Windham, one; Pownall and Freeport, one; Harrison, Bethel and Casco, one; Baldwin and Standish, one; Gray and New Gloucester, one; Edmunds and Cumberland, one; Raymond, Naples and Sebago, one; Yarmouth and North Yarmouth, one; Scarborough for the years eighteen hundred and eighty-five and eighteen hundred and eighty-nine, one; Hartswell for the years eighteen hundred and eighty-six and eighteen hundred and ninety, one; Hartswell shall choose one in the years eighteen hundred and eighty-six and eighteen hundred and ninety, by reason of an amendment of the constitution, annual and regular sessions of the legislature shall be held in these years; and Scarborough shall choose one in eighteen hundred and eighty-eight, for the same reason, such session shall be held in that year.

The county of Franklin shall choose four representatives, to be apportioned as follows:

Jay, Chesterfield, Wilton and Carthage, one; Farmington and New Sharon, one; Avon, Strong, Phillips, Wells, Temple, Perkins plantation, Washington plantation, number six plantation, letter E plantation, one; Industry, New Vineyard, Freedom, Salona, Kingsfield, Easts, Madrid, Bangor, Bangor, Bangor plantation, Dallas plantation, Greenside plantation, Copin plantation, and all other territory in Franklin county not included in any other district, one.

The county of Hancock shall choose nine representatives, to be apportioned as follows:

Ellsworth, one; Bucksport and Verona, one; Eastland, Castine and Brooksville, one; Bluehill, Searcy and DeLham, one; Mount Desert, Eden, Tremont and Cranberry Isles, one; Deer Isle, Swan's Island, and all other islands in said county not included in any other district, one; Gouldsborough, Sullivan, Franklin, Eastbrook, and towns and plantations numbers seven, eight, nine, ten and twenty, one; Trenton, Lamorne, Hancock, Waltham, Minerva, Orla, Amherst, Aurora, plantation number thirty-three, and all other plantations and townships not included in any other district, one; Hancock, Seagwick, Broadbent and Long Island, one.

The county of Kennebec shall choose thirteen representatives, to be apportioned as follows:

Augusta, two; Gardiner, one; Waterville, one; Hallowell, one; Winthrop, Belgrade and Remond, one; Readfield, Fayette, Vienna, and Mount Vernon, one; Litchfield, Monmouth, and Wayne, one; West Waterville, Sidney, and Manchester, one; Pittston, West Gardiner, and Farmingdale, one; Clinton, Benton, and Winslow, one; China, Albion, Chelsea, and Unity plantation, one; Vassalborough and Windsor, one.

The county of Knox shall choose eight representatives, to be apportioned as follows:

Camden, one; Rockland, two; Thomaston, Matineus Island plantation, and Muske Ridge plantation, one; Saint George, Cushing, and Friendship, one; South Thomaston, Vinal Haven, North Haven, and Hurricane Isle, one; Washington, Appleton, and Hope, one; Warren and Union, one.

The county of Lincoln shall choose six representatives, to be apportioned as follows:

Bristol and Danversfort, one; Boothbay and Southport, one; Dresden, Wiscasset, Edgecomb, and Westport, one; Aina, Newcastle, Nobleborough, and Somerville, one; Jefferson, Whitefield, and Bremen, one; Waldoborough, Monhegan and Muscongus, one.

The county of Oxford shall choose seven representatives, to be apportioned as follows:

Norway, Oxford, and Hebron, one; Paris, Backfield, and Milton, one; Hiram, Fryeburg, Stow, and Lovell, one; Porter, Brownfield, Denmark, Watertown, and Sweden, one; Hartford, Sumner, Canton, Woodstock, and Greenwood, one; Peru, Dixfield, Franklin plantation, Mexico, Roxbury, Byron, Andover, and Rumford, one; Newry, Gratton, Upton, Lincoln plantation, Bethel, Olean, Mason, Albany, Stoughton, Hallowell, Riley, number five range one, and all territory not included in either of the above classes, one.

The county of Penobscot shall choose sixteen representatives, to be apportioned as follows:

Bangor, three; Dexter and Garland, one; Exeter, Corinna and Newport, one; Plymouth, Erna, Pismont and Newburg, one; Corinth, Charleston and Bradford, one; Stetson, Levant, Carmel, and Renduskeag, one; Hampden and Harrington, one; Brewer and Veazie, one; Orono, Canburn, and Hiram, one; Oldtown, Alton and Hudson, one; Edington, Holden, Clifton, Bradley, Milford, Greenfield and Greenbush, one; Lagrange, Argyle, Edinburg, Howland, Maxfield, Mattamuskeet, Passadumkeag, Lincoln and Enfield, one; number one plantation, number two Grand Falls plantation, Lowell, Burlington, number three south of Lee, Lakeville plantation, Carroll, Springfield, Lee, Prentiss and Webster plantation, one; Chester, Winn, Mattawamkeag, Kingman, Drew plantation, Medway, Woodville plantation, Staceyville plantation, Patten, Mount Chase, and all other territory in Penobscot county not included in any other class, one.

The county of Piscataquis shall choose three representatives, to be apportioned as follows:

Atkinson, Brownville, Medford, Milo, Orneville, Selma, Williamsburg, Barnard, Bowdoin, number four range eight, numbers four, five, six and seven range nine, one; Foxcroft, Dover, Parkman and Sangerville, one; Abbot, Blanchard, Greenville, Guilford, Willimantic, Kingsbury, Monson, Shirley,

Wellington, and all other territory not included in any other class, one.

The county of Sagadahoc shall choose four representatives, to be apportioned as follows:

Richmond, Bowdoin and Perkins, one; Bowdoinham, Topsham and West Bath, one; Bath, one; Woolwich, Arrowsic, Georgetown and Phippsburg, one.

The county of Somerset shall choose eight representatives, to be apportioned as follows:

Fairfield, Smithfield and Mercer, one; Norridgewood, Madison and Colon, one; Cambridge, Harperry, Hartland, Hines and St. Albans, one; Pittsfield, Palmyra and Detroit, one; Skowhegan, one; Canaan, Cornville, Athens and Brighton, one; Mayfield, Bangham, Moscow, Concord, Etnahien, Lexington, Lead River, Moose River, West Forks, Flagstaff, The Forks, and all other plantations, one; Starks, Anson and New Port, one.

The county of Waldo shall choose seven representatives, to be apportioned as follows:

Belfast, one; Stockton, Prospect and Searsport, one; Frankfort, Wintarsport and Monroe, one; Barham, Troy, Unity, Thorncliffe and Jackson, one; Lincolnville, Resborough, Northport and Belmont, one; Liberty, Montville, Seamsport and Palmyra, one; Freedom, Knox, Brooks, Waldo, Morrill and Seaside, one.

The county of Washington shall choose ten representatives, to be apportioned as follows:

Eastport, one; Coombs, one; East Machias, Alexander, Marshfield, Whiteville, Crawford, Wesley, numbers eighteen and nineteen, one; division, one; Dennistown, Medway, Lube, Charlotte and Edmunds, one; Pembroke, Perry and Robbinston, one; Cherryfield, Stoughton, Millbridge, Dehob, Beddingfield and Devereaux, one; Machias, Columbia Falls, Columbia, Northfield and number eighteen middle division, one; Wintung, Machiasport, Marten, Treseott, Catter, Cooper and number fourteen east division, one; Jonesport, Addison, Harrington, Housatonic and Centerville, one; Danforth, Princeton, Baileyville, Baring, Topsham, Waite, number seven range two, number nine range four; Cadyville, Brookton, Talmadge, number twenty-one, north division plantation, and all territory not otherwise classified, one.

The county of York shall choose fifteen representatives, to be apportioned as follows:

Bridgford, Saco, one; Kittery, one; Newfield, Shapleigh and Acon, one; Harris and Buxton, one; Dayton and Kennebunkport, one; Eliot, for the years eighteen hundred and eighty-five, eighteen hundred and eighty-six, eighteen hundred and eighty-seven and eighteen hundred and ninety, one; South Berwick, for the years eighteen hundred and eighty-three, eighteen hundred and eighty-four, eighteen hundred and eighty-five, eighteen hundred and eighty-six, eighteen hundred and eighty-seven, eighteen hundred and eighty-eight, eighteen hundred and eighty-nine, one and eighteen hundred and ninety-two, one; Waterville and Limerick, one; Sanford and Lebanon, one; Lyman, Limington and Old Orchard, one; Cornish and Parsonsfield, one; Berwick and North Berwick, one; York, for the years eighteen hundred and eighty-five, eighteen hundred and eighty-six, eighteen hundred and eighty-seven, eighteen hundred and eighty-eight, eighteen hundred and eighty-nine, one and ninety, one; Wells, for the years eighteen hundred and eighty-seven, eighteen hundred and eighty-eight, eighteen hundred and eighty-nine, one and ninety-two, one; Alfred and Kennebunk, one. [Approved March 2, 1883.]

RESOLVE to apportion the state for senators to the Legislature.

Resolved, That for the sixty-second legislature and the succeeding legislatures to and including the year one thousand eight hundred and ninety-one, the state be and is hereby divided into sixteen districts for the choice of senators, and each district shall be entitled to elect the number of senators herein provided, for the term of eight years, in the manner prescribed by the constitution, to wit:

The county of York shall form the first district, and be entitled to elect three senators.

The county of Cumberland shall form the second district, and be entitled to elect four senators.

The county of Oxford shall form the third district, and be entitled to elect two senators.

The county of Androscoggin shall form the fourth district, and be entitled to elect two senators.

The county of Franklin shall form the fifth district, and be entitled to elect one senator.

The county of Sagadahoc shall form the sixth district, and be entitled to elect one senator.

The county of Kennebec shall form the seventh district, and be entitled to elect two senators.

The county of Somerset shall form the eighth district, and be entitled to elect one senator.

The county of Piscataquis shall form the ninth district, and be entitled to elect one senator.

The county of Penobscot shall form the tenth district, and be entitled to elect three senators.

The county of Lincoln shall form the eleventh district, and be entitled to elect one senator.

The county of Knox shall form the twelfth district, and be entitled to elect two senators.

The county of Waldo shall form the thirteenth district, and be entitled to elect two senators.

The county of Hancock shall form the fourteenth district, and be entitled to elect two senators.

The county of Washington shall form the fifteenth district, and be entitled to elect two senators.

The county of Aroostook shall form the sixteenth district, and be entitled to elect two senators.

[Approved March 2, 1883.]

RESOLVES in relation to the publication of the Revised Statutes.

Resolved, That as soon as may be after the close of the present session of the legislature, the governor and council may contract with the responsible person or persons, making the lowest bid, for the publication of the revised statutes of the state with the constitution thereof, the constitution of the United States, the repealing act, the reference index tables of the revising commissioner, and such additional matter as may be necessary, in style not inferior in size of page and width of margin, printing, paper and binding, to that of the last edition of the public statutes of Massachusetts, but with the same size of type as that of the revised statutes of Maine of eighteen hundred and seventy-one; and the person or persons with whom such contract is made shall be thereby required to supply the state with twenty-five hundred copies of the statutes so published. The governor and council shall reserve the right to reject any and all bids; and they may make said contract upon such terms and conditions as they deem necessary for the interests of the state, and the time for completion of the contract and the retail price at which the statutes so published shall be sold, shall be limited and specified in the same contract.

Resolved, That the secretary of state shall secure the copyright of said new revision for the use of the state; and no edition of the same shall be published by any person other than the contractor aforesaid, until the expiration of five years from the first day of July, in the year of our Lord one thousand eight hundred and eighty-three.

Resolved, That two thousand copies of the revised statutes belonging to the state shall, when printed, be deposited by the publisher thereof, in the office of the secretary of state, who shall distribute the same as follows, namely: one copy to the governor and to each member of the executive council; one copy to the following public officers, for the use of the respective offices they fill, and the counties wherein they reside, one copy each, namely: the attorney general, the reporter of decisions, the treasurer of state, the secretary of state, the land agent, the adjutant general, the bank examiner, the superintendent of schools, the superintendent of public buildings, the railroad commissioner, the insurance commissioner, the fish commissioners, the liquor commissioner, the superintendent of the state reform school, the superintendent of the insane hospital, the warden of state prison, each of the justices of the supreme judicial and superior courts, each municipal or police court in the state, the clerks of courts, the county attorneys, sheriffs, judges of probate, registers of probate, registers of deeds, the court of county commissioners and the treasurers in each county; and to the several clerks of the cities, towns and plantations, one copy each, for the use of said cities, towns and plantations; to each college and theological institution one copy, one copy to the Maine Historical Society, one copy to the Maine General Hospital, one copy to the State College of Agriculture and the Mechanic Arts, one copy to the secretary of the Board of Agriculture, one copy to the law library of each county in the state, one copy to the judge of the United States for the first circuit and to the judge of the United States for the district of Maine, one copy to the clerk and United States attorney for said district and the clerk of said circuit court; to the president and vice president of the United States, one copy each; to the secretary of state for the United States, four copies; to the secretary of state of each state and the secretary of each territory in the union, one copy each; to the library of congress, two copies, to the librarian of the state library, ten copies for the use of the library; and the remainder of said two thousand copies shall be deposited in the secretary of state's office, to be distributed, from time to time, as the legislature may direct; and the several persons in this state, furnished with the revised statutes as aforesaid, excepting the governor, councillors, judges of the supreme judicial and superior courts, members and officers of the legislature, shall be responsible for the same and deliver it to his successor in office, to be continually kept for the use of the office.

[Approved March 14, 1883.]

RESOLVE fixing the salary of the Bank Examiner.

Resolved, That the salary of the bank examiner shall be eighteen hundred dollars, annually, instead of the sum now allowed by law, and that sum shall be in full for all services and expenses.

[Approved March 14, 1883.]

RESOLVE in favor of the publication of the early records of the State in the registry of deeds for York county.

Resolved, That if the Maine Historical Society shall cause to be copied the earliest records in the registry of deeds for York county, and have the same duly attested by the register of deeds for said county, and printed in form similar to the first volume of Suffolk deeds, lately published in the city of Boston, each volume to consist of not less than six hundred pages, with a full index to the same, the governor and council shall purchase for the state two hundred copies of each volume so published, not exceeding four in all, at a price not exceeding five dollars a volume, and not more than one half of the actual cost of the same, and that one copy of each volume be placed in each registry of deeds in the state. [Approved March 15, 1883.]

RESOLVES in relation to the completion of the fourth revision of the general and public laws, and appointing a commissioner therefor.

Resolved, That Charles W. Goddard of Portland be appointed a commissioner to complete the revision of the general and public laws of the State by the incorporation of the public laws of the present session, correcting the head notes and marginal annotations of all the sections affected by the legislature of eighteen hundred and eighty-three, and preparing head notes and marginal notes and references for the new sections; adding references to all appropriate cases reported in the seventy-third volume of Maine Reports and subsequent volumes, and in the one hundred and fourth volume of the United States Reports and subsequent volumes; also a copious and complete general index, and reference indexes and reference index tables of all new sections, including all tables contained in the present draft of the fourth revision reported by the commissioner, with suitable correction of the indexes and tables, affected by the legislature of eighteen hundred and eighty-three, and carefully to superintend the printing of said revision, or report the same in print, with additions that may be made under the provisions of these resolves.

Resolved, That the foregoing work be performed by said commissioner under the supervision of T. H. Wentworth, William M. Rust, Weston Thompson, A. M. Spear, J. E. Moore, H. M. Beare, G. A. Emery, John B. Donovan, O. G. Hall, and H. M. Heath, members of the present committee of the legislature on the revision of the statutes, who are hereby constituted a commission to sit during the recess of the legislature for that purpose, and to continue the work of said committee of the legislature for the completion of their work and the perfection of the revision.

Resolved, That the governor and council are hereby authorized to audit and cause to be paid, the services and expenses of said Goddard and said commissioners, and of such clerks as it may be necessary for said Goddard to employ.

Resolved, That if said Goddard declines said duty, or becomes unable to perform it, the governor and council shall appoint some other suitable person to fill the vacancy, and do the duties herein prescribed for said Goddard. [Approved March 15, 1883.]

RESOLVE to amend the first of the resolves of the sixty-first Legislature in relation to the publication of the Revised Statutes.

Resolved, That the first of the resolves passed by the sixty-first legislature entitled "resolves in relation to the publication of the revised statutes," is hereby amended by striking out from the first and second lines of said first resolves the words "after the close of the present session of the legislature," so that said first resolve, as amended, shall read as follows, viz.:

"Resolved, That as soon as may be, the governor and council may contract with the responsible person or persons making the lowest bid, for the publication of the revised statutes of the state, with the constitution thereof, the constitution of the United States, the repealing act, the reference index tables of the revising commissioner, and such additional matter as may be necessary, in style not inferior in size of page and width of margin, printing, paper and binding, to that of the last edition of the public statutes of Massachusetts, but with the same size of type as that of the revised statutes of Maine of eighteen hundred and seventy-one; and the person or persons with whom such contract is made shall be thereby required to supply the state with twenty-five hundred copies of the statutes so published. The governor and council shall reserve the right to reject any and all bids; and they may make said contract upon such terms and conditions as they deem necessary for the interests of the state; and the time for completion of the contract and the retail price at which the statutes so published shall be sold, shall be limited and specified in the same contract."

[Approved March 15, 1883.]